

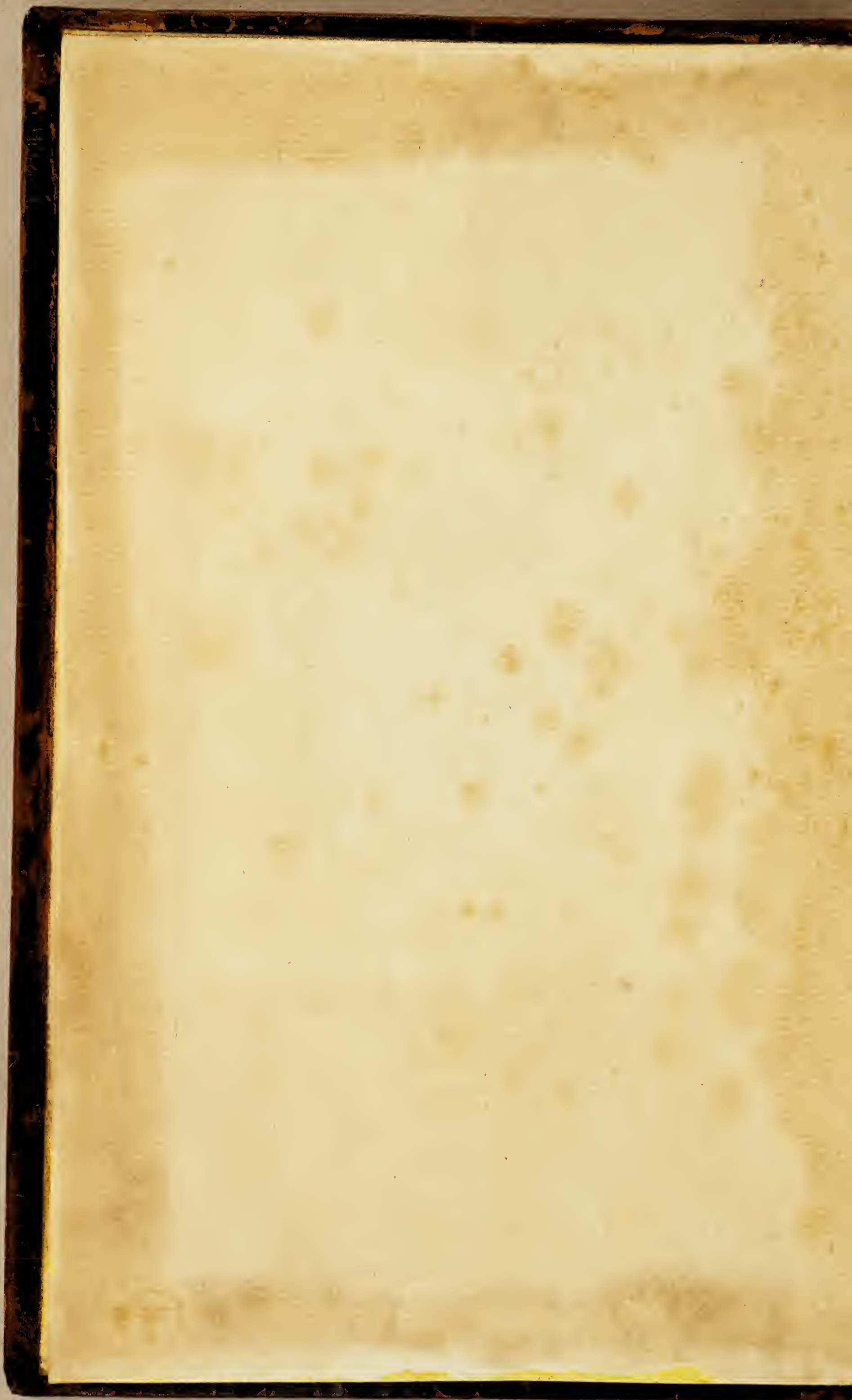


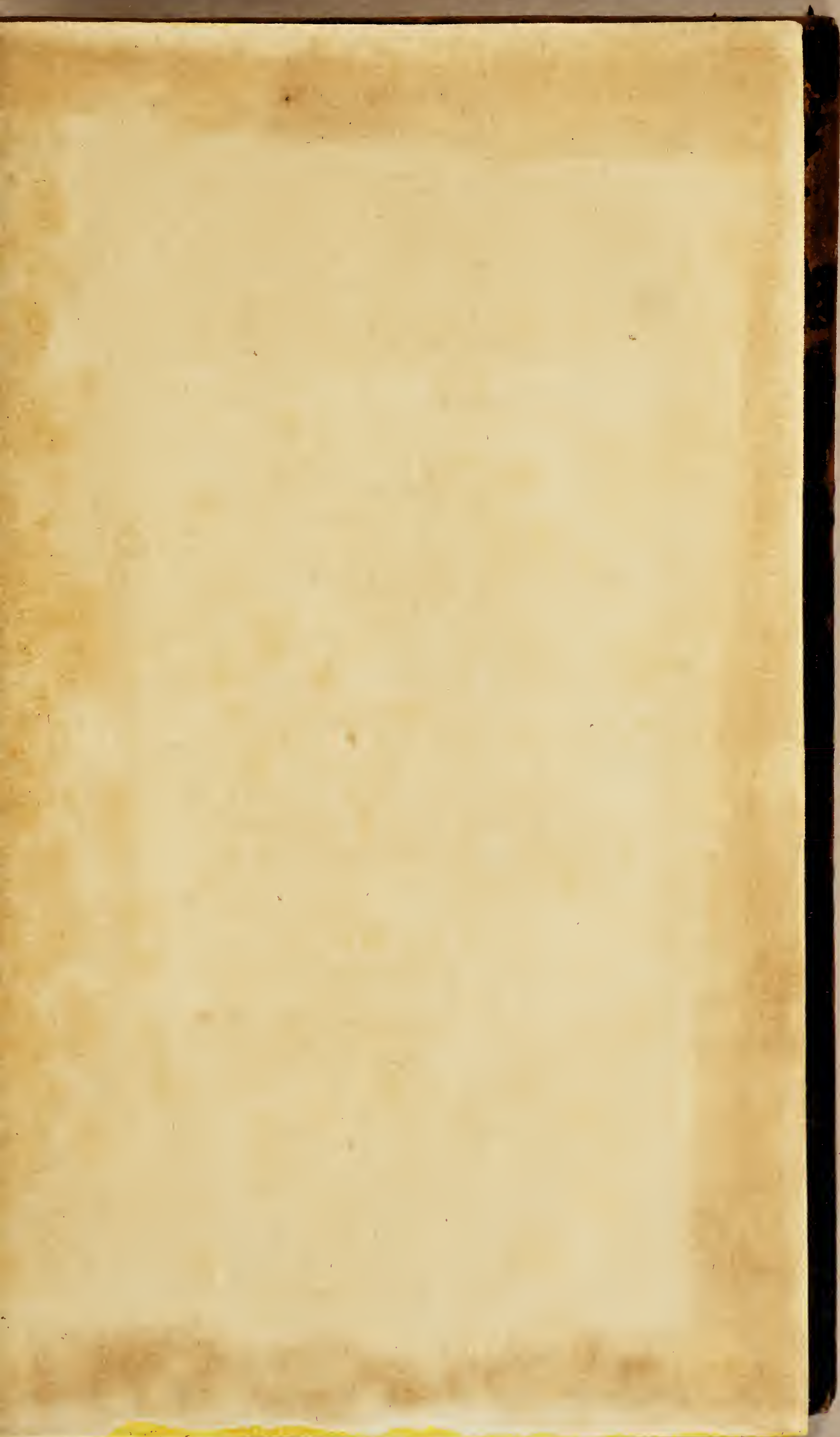
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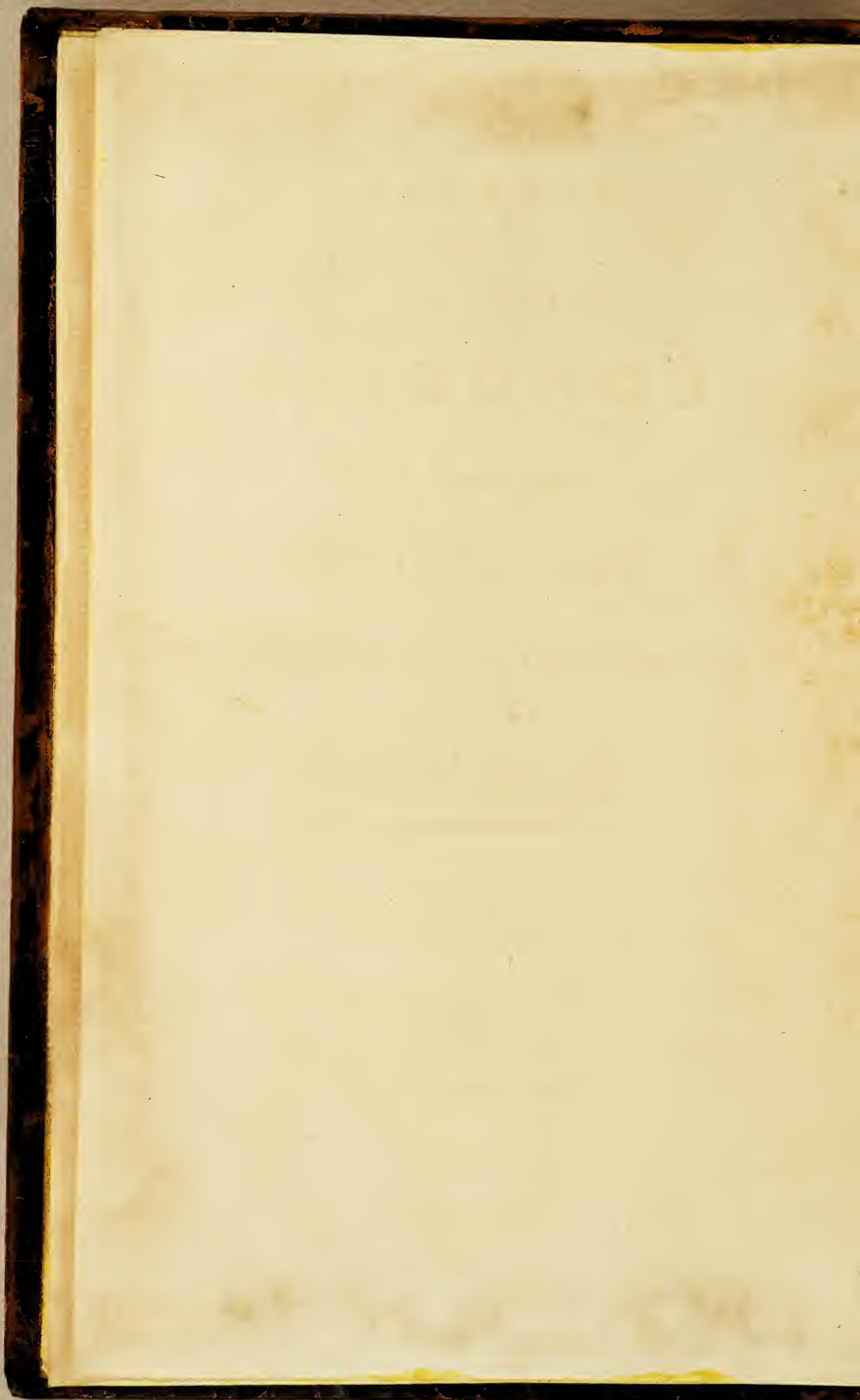


John Carter Brown.

J. Cox, p. 198.







J O U R N A L S

O F

JOHN CARTER BROWN

C O N G R E S S :

C O N T A I N I N G T H E I R

P R O C E E D I N G S

F R O M N O V E M B E R 5, 1787, T O N O V E M B E R 3, 1788.

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V O L U M E X I I I .

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F R O M F O L W E L L ' S P R E S S .

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P H I L A D E L P H I A .

—  
1801.

1851



BY the unanimous vote of the Representatives of the United States of America in Congress assembled, That the Secretary of the Senate and the Clerk of the House of Representatives be and they are authorized to cause to be printed and bound in one volume for the use of the Senate and House of Representatives, the several copies of the Journals of Congress, which are deposited to be published by Richard Fortwell, and such number of copies of different volumes of the Journals as may be necessary to complete the same.

RPJCB

JONATHAN DAYTON, Speaker of the House of Representatives.

JAMES ROSS, President of the Senate pro tempore.

Approved, March 24, 1851.

JOHN ADAMS, President of the United States.





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“ *RESOLVED*

BY the Senate and House of Representatives of the United States of America, in Congress assembled, That the Secretary of the Senate and the Clerk of the House of Representatives, be authorized and directed, to subscribe, on such terms as they may deem eligible, for the use of the Senate and House of Representatives, for four hundred Copies of the Journals of Congress, which are proposed to be published by RICHARD FOLWELL, and such number of copies of different volumes of the sets now in print, as may be necessary to complete the same.

JONATHAN DAYTON, *Speaker of the  
House of Representatives.*

JAMES ROSS, *President of the Senate pro tempore.*

APPROVED, March 2d, 1799 :

JOHN ADAMS, *President  
of the United States.”*

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FORMALS

CONGRESS



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*MONDAY, November 5, 1787.*

**P**URSUANT to the articles of confederation and perpetual union,  
the following gentlemen attended as delegates :

From New-Hampshire,	{	Mr. Gilman.
South-Carolina,	{	Mr. Huger,
	{	Mr. Parker.
Georgia,	{	Mr. Few,
	{	Mr. Baldwin.

---

*TUESDAY, WEDNESDAY, THURSDAY, FRIDAY & SATURDAY,*  
The same ; and

From Virginia,	{	Mr. Carrington.
North-Carolina,	{	Mr. White.

---

*TUESDAY, November 13, 1787.*

From New-Jersey,	{	Mr. Clarke,
	{	Mr. Dayton.

---

*MONDAY, November 19, 1787.*

From Massachusetts,	{	Mr. Otis,
	{	Mr. Thatcher.

---

*TUESDAY, November 20, 1787.*

From Virginia,	{	Mr. Griffin,
	{	Mr. Brown.

---

*THURSDAY, November 22, 1787.*

From Virginia,	{	Mr. Madison.
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*FRIDAY, December 15, 1787.*

Mr. Elmer, from New-Jersey, attended.

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*MONDAY, December 18, 1787.*

Mr. Tucker, from South-Carolina, attended.

---

*TUESDAY, December 19, 1787.*

Mr. Irwine and Mr. Read, from Pennsylvania, attended.

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*MONDAY, January 21, 1788.*

Congress assembled : Present,

From New-Hampshire,	{	Mr. Gilman.
Massachusetts,	{	Mr. Otis,
Connecticut,	{	Mr. Thatcher.
New-Jersey,	{	Mr. J. Wadsworth.
	{	Mr. Clarke,
	{	Mr. Elmer.
Pennsylvania,	{	Mr. Irwine,
	{	Mr. Armstrong,
	{	Mr. Read.
Delaware,	{	Mr. Kearny,
	{	Mr. Mitchell.
Maryland,	{	Mr. J. E. Howard,
	{	Mr. B. Contee.
	{	Mr. Madifon,
Virginia,	{	Mr. Griffin,
	{	Mr. Brown.
North-Carolina,	{	Mr. White.
	{	Mr. Huger,
South-Carolina,	{	Mr. Parker,
	{	Mr. Tucker.
Georgia,	{	Mr. Baldwin;

Who severally produced their credentials.

*TUESDAY, January 22, 1788.*

Congress assembled: Present as yesterday; and from the state of New-Jersey, Mr. Dayton.

Congress proceeded to the election of a president, and, the ballots being taken,

The honorable Cyrus Griffin was elected.

A letter, of the 16th, from the hon. J. Armstrong, was read, wherein he informs Congress that he declines the office of judge to which he was elected the 16th October last.

*WEDNESDAY, January 23, 1788.*

Six states only attending; namely, Massachusetts, New-Jersey, Pennsylvania, Maryland, Virginia and South-Carolina; and from New-Hampshire, Mr. Gilman, from Connecticut, Mr. Jeremiah Wadsworth, from Delaware, Mr. Kearny, from North-Carolina, Mr. White, and from Georgia, Mr. Baldwin; the president adjourned Congress till to-morrow 11 o'clock.

*THURSDAY, January 24, 1788.*

The same as yesterday.

*FRIDAY, January 25, 1788.*

The same as before.

*MONDAY, TUESDAY and WEDNESDAY,*

The same as before.

THURSDAY, January 31, 1788.

Six states attended: Present, Massachusetts, New-Jersey, Pennsylvania, Delaware, Maryland and South-Carolina; and from New-Hampshire, Mr. Gilman, from Connecticut, Mr. Jeremiah Wadsworth, from North-Carolina, Mr. White, and from Georgia, Mr. Baldwin.

FRIDAY, February 1, 1788.

Congress assembled: Present, Massachusetts, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia and South-Carolina; and from New-Hampshire, Mr. Gilman, from Connecticut, Mr. Jeremiah Wadsworth, from North-Carolina, Mr. White, and from Georgia, Mr. Baldwin.

The committee, consisting of Mr. Thatcher, Mr. Wadsworth and Mr. Irwine, to whom was referred a petition of Thomas Ruffel, praying for sea-letters for the ship Hercules; and an application for sea-letters for the ship Asia, report,

That they are satisfied that the ship Hercules is American built, and commanded and manned by Americans; and the ship Asia, John Barry, commander, is American built, and commanded and manned by Americans; whereupon,

Ordered, That sea-letters, in the usual form, be granted for the ship Hercules, Moses Browne, commander; and also for the ship Asia, John Barry, commander, both bound for Canton, in China.

The committee, consisting of Mr. Otis, Mr. Clarke, Mr. Irwine, Mr. Madison and Mr. Mitchell, to whom was referred the credentials produced by the delegates from the states of New-Hampshire, Massachusetts, Connecticut, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina and Georgia, made report, which being amended, was accepted, and is as follows:

That they have carefully examined the credentials, and are of opinion, that Mr. Gilman of New-Hampshire, Mr. Otis, and Mr. Thatcher of Massachusetts, Mr. Jeremiah Wadsworth of Connecticut, Mr. Clarke, Mr. Elmer and Mr. Dayton of New-Jersey, Mr. Irwine, Mr. Armstrong, and Mr. Read of Pennsylvania, Mr. Kearny, and Mr. Mitchell of Delaware, Mr. Madison, Mr. Griffin, and Mr. Browne of Virginia, Mr. White of North-Carolina, Mr. Huger, Mr. Parker, and Mr. Tucker of South-Carolina, and Mr. Baldwin of Georgia, are authorized to sit and vote in the present Congress of the United States, until the first Monday in November next, and no longer: That Mr. Howard, and Mr. Coutee of Maryland, are authorized to sit and vote in the Congress of the United States, until the second Monday in December next.

A letter, of 22d January, from Mr J. White, was read, stating, that as his holding the office of superintendant of Indian affairs, is incompatible with the appointment given him by the state of North-Carolina as delegate in Congress, he therefore resigns his office of superintendant.

The commissioners appointed on the 2d December, 1785, to run a line of jurisdiction between the states of Massachusetts and New-York,

reported that they have executed that business, accompanying their report with a draft of the line run, and their field notes.

—————\*—————

*TUESDAY, February 5, 1788.*

Congress assembled : Present as before.

—————\*—————

*WEDNESDAY, February 6, 1788.*

Five states only assembled ; namely, Massachusetts, Delaware, Maryland, Virginia and South-Carolina ; and from New-Hampshire, Mr. Gilman, from Connecticut, Mr. Wadsworth, from New-Jersey, Mr. Elmer, from Pennsylvania, Mr. Read, from North-Carolina, Mr. White, and from Georgia, Mr. Baldwin.

—————\*—————

*THURSDAY, FRIDAY and SATURDAY.*

Six states attended ; namely, Massachusetts, Pennsylvania, Delaware, Maryland, Virginia and South-Carolina ; and from New-Hampshire, Mr. Gilman, from Connecticut, Mr. Jeremiah Wadsworth, from North-Carolina, Mr. White, and from Georgia, Mr. Baldwin.

—————\*—————

*MONDAY, February 11, 1788.*

Congress assembled : Present, New-Hampshire, Massachusetts, Pennsylvania, Delaware, Maryland, Virginia and South-Carolina ; and from Connecticut, Mr. Wadsworth, and from North-Carolina, Mr. White.

Mr. Paine Wingate, a delegate for New-Hampshire, attended, and produced credentials of his appointment ; which were read.

A memorial of Israel Evans being read in the words following ;

*“ Charleston, December 6, 1787.*

“ SIR,

“ THIS memorial, which I beg your excellency to communicate to the honorable Congress, I have long delayed, because I was unwilling to make any addition to the business and trouble of Congress, until urged by necessity. At length through fear of sustaining a very considerable loss, I am constrained to make the following request : That it may please the honorable Congress to grant me a certain quantity of military bounty land, as much as to them seems fit, in consideration of my service as chaplain in the late army, during more than eight years. The custom of granting lands to chaplains in time past, and the large bounties of land recently granted to the chaplains of the New-York and other lines of the army, have encouraged me to hope that this application will not be disagreeable to the Congress, nor without success. I would also take the freedom to observe, that the medical staff, who, according to the rules of the army, are entitled to no greater emoluments than the clerical staff, have obtained those bounties in land which are agreeable to their wishes. When the honorable Congress are pleased to consider how long their memorialist served in the late war ; how many losses he sustained, and how little subsistence he received from any of the states by reason of his serving in different lines of the army, he cannot but entertain some hope that the Congress will grant him such military lands as shall be in propor-

tion to his station and pay in the late army, and will place him upon a footing with the chaplains of the state of New-York. Should this memorial, so far meet the favorable regard of the honorable Congress, as to obtain what has been requested, I beg leave to desire, that whatever lands may be granted as a military right, may be included in my shares of the land granted to the Ohio company. With the greatest respect, I am, sir, your excellency's most obedient humble servant,

ISRAEL EVANS.

To his Excellency the President of Congress.

A motion was made by Mr. Otis, seconded by Mr. Thatcher, that the memorial of Israel Evans be referred to a committee: And on the question for commitment, the yeas and nays being required by Mr. Otis,

<i>New-Hampshire,</i>	Mr. Gilman,	no	}	no
	Mr. Wingate,	no		
<i>Massachusetts,</i>	Mr. Otis,	ay	}	ay
	Mr. Thatcher,	ay		
<i>Connecticut,</i>	Mr. Jer. Wadsworth,	no	}	*
<i>Pennsylvania,</i>	Mr. Irwine,	no		
	Mr. Read,	ay	}	divided.
<i>Delaware,</i>	Mr. Kearny,	no		
	Mr. Mitchell,	no	}	no
<i>Maryland,</i>	Mr. Howard,	no		
	Mr. Contee,	no	}	no
<i>Virginia,</i>	Mr. Griffin,	no		
	Mr. Brown,	no	}	no
<i>North-Carolina,</i>	Mr. White,	no		
<i>South-Carolina,</i>	Mr. Huger,	no	}	no
	Mr. Parker,	no		
	Mr. Tucker,	ay	}	no

So the question was lost.

On a report of the secretary at war,

*Resolved,* That the resignation of captain Walter Finney be accepted, and that it take effect from the 10th of November, 1787, the date of his request for that purpose.

On the report of a committee, consisting of Mr. Wadsworth, Mr. Otis and Mr. Huger, to whom was referred a petition of Lynch and Stoughton, N. Cruger and T. Ludlow, praying for a sea-letter for a vessel called the Jenny, now at New-York, and bound for the East-Indies, of the burthen of 300 tons, and commanded by William Thompson, and who report: "That the Jenny is owned entirely by citizens of the United States, and manned for the most part with citizens of the said states."

*Ordered,* That sea-letters, in the usual form, be granted for the Jenny, W. Thompson, commander, agreeably to the prayer of the petitioners.

TUESDAY, February 12, 1788.

Congress assembled: Present, New-Hampshire, Massachusetts, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia and South-Ca-

rolina; and from Connecticut, Mr. Wadsworth, and from North-Carolina, Mr. White.

On the report of a committee, consisting of Mr. Kearny, Mr. Kean and Mr. Madison,

*Resolved*, That the secretary for foreign affairs for the time being, be, and he is hereby authorized and directed, upon application made to him for that purpose, to grant, in the usual form, sea-letters for any vessel or vessels, owned entirely and navigated chiefly by citizens of the United States, and bound on long and distant voyages, at his discretion: *Provided always*, That it be made appear to him, by oath or affirmation, or by such other evidence as shall by him be deemed satisfactory, by the person or persons applying therefor, that the vessel or vessels for which such sea-letters shall be required, shall, together with all and every part of her cargo, be owned entirely and commanded by officers citizens of the United States, and shall be navigated for the most part by the same. That for this purpose the secretary for foreign affairs be, and he is hereby instructed to procure a sufficient number of blank sea-letters, drafted in the usual form, and signed by the president of Congress, for the purposes aforesaid: And that the same, when filled up, be sealed with the seal of the United States, and certified by the secretary of Congress.

—●—  
WEDNESDAY, February 13, 1788.

Congress assembled: Present as yesterday.

On motion of Mr. Clarke, seconded by Mr. Thatcher,

*Resolved*, That Tuesday next be assigned for the election of a judge for the western territory, in the room of Mr. Armstrong, who declines.

—●—  
THURSDAY, February 14, 1788.

Congress assembled: Present as before.

The secretary for foreign affairs having transmitted to Congress a letter from the count de Moustier, together with a copy of a letter of credence, by which it appears, that his most Christian majesty has appointed the count to succeed the chevalier de la Luzerne in quality of his minister plenipotentiary to the United States of America; and the said minister having requested that this may be communicated to Congress, that they may fix a day which shall appear to them the most convenient to give him a public audience,

*Resolved*, That the said count de Moustier be received as minister plenipotentiary from his most Christian majesty; and that agreeably to his request he be admitted to a public audience on Tuesday the 26th of the present month, in the room where Congress assembles.

*Ordered*, That the secretary for foreign affairs inform the honorable the minister of the United Netherlands, and his Catholic majesty's encargado de negocios, of the public audience to be given to the honorable the minister plenipotentiary of his most Christian majesty.

—●—  
FRIDAY, February 15, 1788.

Congress assembled: Present, New-Hampshire, Massachusetts, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia and South-Carolina; and from North-Carolina, Mr. White.



*MONDAY, February 18, 1788.*

Congress assembled: Present as before.

*TUESDAY, February 19, 1788.*

Congress assembled: Present, New-Hampshire, Massachusetts, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia and South-Carolina; and from Connecticut, Mr. Jeremiah Wadsworth, and from North-Carolina, Mr. White.

According to the order of the day, Congress proceeded to the election of a judge for the western territory, in the room of Mr. Armstrong, who declines; and, the ballots being taken,

Mr. John Cleves Symmes was elected, having been previously nominated by Mr. Clarke.

*WEDNESDAY, February 20, 1788.*

Congress assembled: Present as yesterday.

*THURSDAY, February 21, 1788.*

Congress assembled: Present as before.

Mr. N. Dane, a delegate of Massachusetts, attended, and produced the credentials of his appointment; which were read.

On a motion of Mr. Huger, seconded by Mr. Tucker,

*Resolved*, That Monday next be assigned for electing a superintendant of Indian affairs for the southern-department, in the room of Mr. White, who has resigned.

*FRIDAY, February 22, 1788.*

Congress assembled: Present as before.

*MONDAY, February 25, 1788.*

Congress assembled: Present, New-Hampshire, Massachusetts, New-York, Pennsylvania, Delaware, Maryland, Virginia and South-Carolina; and from Connecticut, Mr. Jeremiah Wadsworth, from New-Jersey, Mr. Clarke, and from North-Carolina, Mr. White.

Mr. Alexander Hamilton and Mr. Leonard Gansevoort, delegates for New-York, attended, and produced credentials of their appointment, which were read.

On motion of Mr. Dane,

*Resolved*, That the superintendant of Indian affairs for the southern-department, be elected for six months, and continue in office during that period, unless sooner re-called by Congress.

Pursuant to a resolution of the 21st instant, Congress proceeded to the election of a superintendant of Indian affairs for the southern-department; but not coming to a choice, the election was postponed until Thursday next.

*TUESDAY, February 26, 1788.*

Congress assembled: Present, New-Hampshire, Massachusetts, New-York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia and South-Carolina; and from Connecticut, Mr. Wadsworth, and from North-Carolina, Mr. White.

According to order, the minister plenipotentiary of France was introduced to a public audience, when he delivered a letter of credence from his most Christian majesty, of which the following is a translation :

*Very dear great Friends and Allies,*

PARTICULAR reasons, relative to the good of our service, have determined us to appoint a successor to the chevalier de la Luzerne, our minister plenipotentiary with you. We have chosen the count de Moustier, to take his place, in the same quality. The marks of zeal which he has hitherto given us, persuade us, that on this new occasion, he will conduct himself in such a manner as to render himself agreeable to you, and more and more worthy of our good will. We pray you to give full faith to whatever he may say to you on our part ; particularly when he shall assure you of the sincerity of our wishes for your prosperity, as well as of the constant affection and friendship which we bear to the United States in general, and to each of them in particular. We pray God, that he will have you, very dear great friends and allies, in his holy keeping. Written at Versailles, the 30th September, 1787.

Your good friend and ally,  
LOUIS.

(Signed)

Count de MONTMORIN.

After which he addressed Congress in a speech, of which the following is a translation :

*Gentlemen of the Congress,*

THE relations of friendship and affection which subsist between the king my master and the United States, have been established on a basis which cannot but daily acquire a new degree of solidity. It is satisfactory to be mutually convinced that an alliance formed for obtaining a glorious peace, after efforts directed by the greatest wisdom, and sustained with admirable constancy, must always be conformable to the common interests ; and that it is a fruitful source of infinite advantages to both nations, whose mutual confidence and intercourse will increase in proportion as they become better known to each other.

The king, who was the first to connect himself with the United States as a sovereign power, to second their efforts and favour their interests, has never ceased, since that memorable period, to turn his attention to the means of proving to them his affection. This sentiment directs the vows which his majesty forms for their prosperity. Their success will always interest him sensibly ; and there is reason to hope for it, from the wisdom of the measures which they will adopt.

To this solemn assurance of interest and attachment on the part of the king, to the unanimous sentiment of the nation, and to the fervent wishes of a great number of my countrymen, who have had the advantage to be associated in the military toils and success of the United States, permit me to add those which I in particular entertain for the growth and glory of these states. I at length enjoy the satisfaction of having it in my power here to testify the profound veneration with which I have been constantly penetrated, for a people who have been able to fix, from their birth, the attention of the most considerable powers in Europe, and whose courage and patriotism have astonished

all nations. My happiness will be complete, gentlemen, if I could succeed by my zeal, and most constant cares, to merit your esteem, your confidence, and your approbation.

The task which I have to accomplish, appears to me to be the more difficult, as in succeeding a minister who held the place near you, gentlemen, with which I am now honored, I am far from enjoying the advantages which he derived from his talents, his knowledge, and those circumstances which placed him in the most intimate relations to you. I will endeavor to resemble him, at least by the greatest attention to promote and give success to whatever may contribute to the satisfaction, the glory, and the prosperity of the United States.

To which the president made the following reply :

SIR,

IT will always give us pleasure to acknowledge the friendship and important good offices, which we have experienced from his most Christian majesty, and your generous nation ; and we flatter ourselves, that the same principles of magnanimity and regard to mutual convenience, which dictated the connections between us, will continue to operate, and to render them still more extensive in the their benefits to the two countries.

We consider the alliance as involving engagements, highly interesting to both parties ; and we are persuaded that they will be observed with entire and mutual good faith.

We are happy in being so explicitly assured of the continuance of his majesty's friendship and attachment, and in this opportunity of expressing the high sense we entertain of their sincerity and value. It is with real satisfaction, sir, that we receive you as his minister plenipotentiary ; especially as your character gives us reason to expect that the harmony and interest of both nations, will not be less promoted by your talents, candor and liberality, than they were by those which distinguished your predecessor, and recommended him to our esteem and regard.

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WEDNESDAY, February 27, 1788.

Congress assembled : Present, New-Hampshire, Massachusetts, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia and South-Carolina ; and from Connecticut, Mr. Wadsworth, and from North-Carolina, Mr. White.

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THURSDAY, February 28, 1788.

Congress assembled : Present as yesterday.

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FRIDAY, February 29, 1788.

Congress assembled : Present, New-Hampshire, Massachusetts, Connecticut, New-York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia and South-Carolina ; and from North-Carolina, Mr. White.

Mr. Stephen Mix Mitchell and Mr. John Platt Cooke, two delegates for Connecticut, attended, and produced the credentials of their appointment, which were read.

A motion being made by Mr. Wingate, seconded by Mr. Kearny, That two chaplains be appointed for Congress, whose salaries shall

not exceed 300 dollars each per annum, to commence from the day of their appointment.

On the question to agree to this, the yeas and nays being required by Mr. Kearny,

<i>New-Hampshire,</i>	Mr. Gilman,	ay	} ay
	Mr. Wingate,	ay	
<i>Massachusetts,</i>	Mr. Dane,	ay	} ay
	Mr. Otis,	ay	
	Mr. Thatcher,	no	
<i>Connecticut,</i>	Mr. Mitchell,	no	} ay
	Mr. Cooke,	ay	
	Mr. Wadsworth,	ay	
<i>New-York,</i>	Mr. Hamilton,	ay	} ay
	Mr. Gansevoort,	ay	
<i>New-Jersey,</i>	Mr. Clarke,	ay	} ay
	Mr. Dayton,	ay	
<i>Pennsylvania,</i>	Mr. Irwine,	ay	} no
	Mr. Armstrong,	no	
	Mr. Read,	no	
<i>Delaware,</i>	Mr. Kearny,	ay	} ay
	Mr. Mitchell,	ay	
<i>Maryland,</i>	Mr. Howard,	no	} divided.
	Mr. Contee,	ay	
<i>Virginia,</i>	Mr. Madison,	ay	} ay
	Mr. Griffin,	ay	
	Mr. Brown,	ay	
<i>North-Carolina,</i>	Mr. White,	ay	} *
<i>South-Carolina,</i>	Mr. Huger,	no	
	Mr. Parker,	ay	} no
	Mr. Tucker,	no	

So it was resolved in the affirmative.

Congress proceeded to the election, and, the ballots being taken, Dr. Provost and Dr. Rogers were elected; the former having been nominated by Mr. Kearny, and the latter by Mr. Wingate.

According to the order of the day, Congress proceeded to the election of a superintendant of Indian affairs for the southern-department; and, the ballots being taken,

Richard Winne, Esq; was elected; having been previously nominated by Mr. Huger.

An address from the representatives of the people of Kentucky, in convention met, being read, and a motion being made thereon by the delegates of Virginia:

*Ordered,* That the said address and motion be referred to a committee of the whole, to sit on Tuesday next.

MONDAY, March 3, 1788.

Congress assembled: Present, New-Hampshire, Massachusetts, Connecticut, New-Jersey, Pennsylvania, Virginia and South-Carolina; and from New-York, Mr. Gansevoort, from Delaware, Mr. Kearny, and from North-Carolina, Mr. White.

*TUESDAY, March 4, 1788.*

Congress assembled: Present, New-Hampshire, Massachusetts, Connecticut, New-York, New-Jersey, Pennsylvania, Delaware, Virginia and South-Carolina; and from North-Carolina, Mr. White.

According to the order of the day, Congress was resolved into a committee of the whole.

Mr. Otis elected to the chair.

After some time the president resumed the chair, and Mr. Otis reported, that the committee of the whole had taken into consideration the subject referred to them; but not having come to a resolution, desire leave to sit again; which was granted.

*WEDNESDAY, March 5, 1788.*

Congress assembled: Present, New-Hampshire, Massachusetts, Connecticut, New-Jersey, Pennsylvania, Delaware, Virginia and South-Carolina; and from North-Carolina, Mr. White.

*THURSDAY, March 6, 1788.*

Congress assembled: Present, New-Hampshire, Massachusetts, Connecticut, Pennsylvania, Delaware, Virginia and South-Carolina; and from New-York, Mr. Gansevoort, from New-Jersey, Mr. Clarke, and from North-Carolina, Mr. White.

*FRIDAY, March 7, 1788.*

Congress assembled: Present as yesterday.

*MONDAY, March 10, 1788.*

Six states only attended; namely, New-Hampshire, Massachusetts, Connecticut, Pennsylvania, Virginia and South-Carolina; and from New-York, Mr. Gansevoort, from Delaware, Mr. Kearny, from Maryland, Mr. Rofs, and from North-Carolina, Mr. White.

Mr. Rofs, a delegate for Maryland, attended.

*TUESDAY, March 11, 1788.*

Five states only attending; namely, New-Hampshire, Massachusetts, Connecticut, New-Jersey and South-Carolina; and from Pennsylvania, Mr. Irwine, from Delaware, Mr. Kearny, from Maryland, Mr. Rofs, from Virginia, Mr. Griffin, and from North-Carolina, Mr. White; the president adjourned Congress to 11 o'clock to-morrow.

*WEDNESDAY, March 12, 1788.*

Congress assembled: Present, New-Hampshire, Massachusetts, Connecticut, New-Jersey, Pennsylvania, Virginia and South-Carolina; and from New-York, Mr. Gansevoort, from Delaware, Mr. Kearny, from Maryland, Mr. Rofs, and from North-Carolina, Mr. White.

*THURSDAY, March 13, 1788.*

Congress assembled: Present as yesterday.

*TUESDAY, March 18, 1788.*

Congress assembled: Present, New-Hampshire, Massachusetts, Con-

necticut, Pennsylvania, Delaware, Virginia and South-Carolina; and from New-Jersey, Mr. Clarke, from Maryland, Mr. Rofs, and from North-Carolina, Mr. White.

—\*—

*WEDNESDAY, March 19, 1788.*

Congress assembled: Present, New-Hampshire, Massachusetts, Connecticut, New-Jersey, Pennsylvania, Virginia and South-Carolina; and from Delaware, Mr. Mitchell, from Maryland, Mr. Rofs, and from North-Carolina, Mr. White.

The committee, to whom it was referred to revise and amend the land ordinance, having reported the draft of a supplement to an ordinance entitled, "An ordinance for ascertaining the mode of disposing of lands in the western territory;" it was read a first time,

*Ordered,* That Monday next be assigned for the second reading of the said ordinance.

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*THURSDAY, March 20, 1788.*

Congress assembled: Present, New-Hampshire, Massachusetts, Connecticut, New-Jersey, Pennsylvania, Virginia and South-Carolina; and from New-York, Mr. Gansevoort, from Delaware, Mr. Kearny, from Maryland, Mr. Rofs, and from North-Carolina, Mr. White.

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*MONDAY, March 24, 1788.*

Congress assembled: Present, New-Hampshire, Massachusetts, Connecticut, New-Jersey, Pennsylvania, Virginia and South-Carolina; and from Delaware, Mr. Kearny, from Maryland, Mr. Rofs, and from North-Carolina, Mr. White.

A supplement to an ordinance entitled, An ordinance for ascertaining the mode of disposing of lands in the western territory, was read a second time,

*Ordered,* That the consideration of the said supplement be postponed until to-morrow.

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*TUESDAY, March 25, 1788.*

Congress assembled: Present as before.

Agreeably to order, Congress proceeded to the consideration of the supplement to the land ordinance, and not having gone through the same, adjourned till to-morrow.

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*WEDNESDAY, March 26, 1788.*

Congress assembled: Present, New-Hampshire, Massachusetts, Connecticut, New-Jersey, Pennsylvania, Virginia and South-Carolina; and from New-York, Mr. Gansevoort, from Delaware, Mr. Kearny, from Maryland, Mr. Rofs, and from North-Carolina, Mr. White.

Congress resumed the consideration of the supplement to the land ordinance, and not having finished the same, adjourned till to-morrow.

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*THURSDAY, March 27, 1788.*

Congress assembled: Present as before.

On a report of the secretary at war, to whom was referred an ex-

tract of a letter, dated January 10, 1788, from brigadier-general Har-mar, respecting Fort-M'Intosh,

*Resolved*, That the secretary at war direct the commanding officer to erect a block-house in the vicinity of Fort-M'Intosh, and place a suitable garrison therein: And that he dismantle and demolish Fort-M'Intosh, and dispose of the materials thereof in the manner most conducive to the public service.

Congress proceeded to a farther consideration of the supplement to the land ordinance, and after debate thereon, adjourned till Monday next.

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MONDAY, March 31, 1788.

Six states only attending; namely, New-Hampshire, Massachusetts, Connecticut, Pennsylvania, Virginia and South-Carolina; and from New-York, Mr. Gansevoort, from New-Jersey, Mr. Clarke, from Delaware, Mr. Kearny, from Maryland, Mr. Ross, from North-Carolina, Mr. White, and from Georgia, Mr. Baldwin; the president adjourned Congress to 11 o'clock to-morrow.

\*  
TUESDAY, April 1, 1788.

Six states only attending; namely, New-Hampshire, Massachusetts, New-Jersey, Pennsylvania, Virginia and South-Carolina; and from Connecticut, Mr. Mitchell, from New-York, Mr. Gansevoort, from Delaware, Mr. Kearny, from Maryland, Mr. Ross, from North-Carolina, Mr. White, and from Georgia, Mr. Baldwin; the president adjourned Congress to 11 o'clock to-morrow.

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WEDNESDAY, April 2, 1788.

Four states only attending; namely, New-Hampshire, Massachusetts, New-Jersey and Virginia; and from Connecticut, Mr. Mitchell, from Pennsylvania, Mr. Irwine, from Delaware, Mr. Kearny, from Maryland, Mr. Ross, from North-Carolina, Mr. White, from South-Carolina, Mr. Parker, and from Georgia, Mr. Baldwin; the president adjourned Congress to 11 o'clock to-morrow.

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THURSDAY, April 3, 1788.

Six states attending; namely, New-Hampshire, Massachusetts, New-Jersey, Pennsylvania, Virginia and South-Carolina; and from Connecticut, Mr. Mitchell, from New-York, Mr. Gansevoort, from Delaware, Mr. Kearny, from Maryland, Mr. Ross, from North-Carolina, Mr. White, and from Georgia, Mr. Baldwin; the president adjourned Congress to 11 o'clock to-morrow.

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FRIDAY, April 4, 1788.

The same as before.

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SATURDAY, April 5, 1788.

The same as before.

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MONDAY, April 7, 1788.

Five states only attending; namely, New-Hampshire, Massachu-

setts, Pennsylvania, Virginia and South-Carolina; and from Connecticut, Mr. Mitchell, from New-York, Mr. Gansevoort, from New-Jersey, Mr. Clarke, from Delaware, Mr. Kearny, from Maryland, Mr. Rofs, from North-Carolina, Mr. White, and from Georgia, Mr. Baldwin; the president adjourned Congress till 11 o'clock to-morrow.

*TUESDAY, April 8, 1788.*

Four states only attending; namely, New-Hampshire, Massachusetts, Virginia and South-Carolina; and from Connecticut, Mr. Mitchell, from New-Jersey, Mr. Clarke, from Pennsylvania, Mr. Irwine, from Delaware, Mr. Kearny, from Maryland, Mr. Rofs, from North-Carolina, Mr. White, and from Georgia, Mr. Baldwin; the president adjourned Congress till 11 o'clock to-morrow.

*FRIDAY, April 18, 1788.*

During the course of this week only six states attended; namely, New-Hampshire, Massachusetts, New-Jersey, Pennsylvania, Virginia and South-Carolina; and from Connecticut, Mr. Mitchell, from New-York, Mr. Gansevoort, from Delaware, Mr. Kearny, from Maryland, Mr. Rofs, from North-Carolina, Mr. White, and from Georgia, Mr. Baldwin.

*SATURDAY, April 26, 1788.*

During the course of this week four states attending; namely, New-Hampshire, Massachusetts, Virginia and South-Carolina; and from Connecticut, Mr. Mitchell, from New-York, Mr. Gansevoort, from Pennsylvania, Mr. Irwine, from Delaware, Mr. Kearny, from Maryland, Mr. Rofs, from North-Carolina, Mr. White, and from Georgia, Mr. Baldwin.

*MONDAY, April 28, 1788.*

Five states attended; namely, New-Hampshire, Massachusetts, Maryland, Virginia and South-Carolina; and from Connecticut, Mr. Mitchell, from New-York, Mr. Gansevoort, from Pennsylvania, Mr. Irwine, from Delaware, Mr. Kearny, and from Georgia, Mr. Baldwin. Mr. Joshua Seney, a delegate from Maryland, took his seat.

*TUESDAY, April 29, 1788.*

The same as yesterday; and from New-Jersey, Mr. Dayton.

*WEDNESDAY, April 30, 1788.*

Six states attended; namely, New-Hampshire, Massachusetts, Pennsylvania, Maryland, Virginia and South-Carolina; and from Connecticut, Mr. Mitchell, from New-York, Mr. Gansevoort, from Delaware, Mr. Kearny, and from Georgia, Mr. Baldwin.

*THURSDAY, May 1, 1788.*

Six states attended; namely, New-Hampshire, Massachusetts, New-Jersey, Maryland, Virginia and South-Carolina; and from Connecticut, Mr. Mitchell, from Pennsylvania, Mr. Irwine, from Delaware, Mr. Kearny, and from Georgia, Mr. Baldwin.



FRIDAY, May 2, 1788.

Congress assembled: Present, New-Hampshire, Massachusetts, New-Jersey, Pennsylvania, Maryland, Virginia and South-Carolina; and from Connecticut, Mr. Mitchell, from New-York, Mr. Gansevoort, from Delaware, Mr. Kearny, and from Georgia, Mr. Baldwin.

MONDAY, May 5, 1788.

Congress assembled: Present, New-Hampshire, Massachusetts, New-Jersey, Pennsylvania, Maryland, Virginia and South-Carolina; and from Connecticut, Mr. Mitchell, from Delaware, Mr. Kearny, and from Georgia, Mr. Baldwin.

TUESDAY, May 6, 1788.

Congress assembled: Present as yesterday; and from Rhode-Island, Mr. P. Arnold, who produced credentials of his appointment.

WEDNESDAY, May 7, 1788.

Congress assembled: Present as yesterday.

THURSDAY, May 8, 1788.

Congress assembled: Present as before.

On a report of the board of treasury, to whom was referred a motion of Mr. Carrington,

*Resolved*, That Congress proceed to the election of two commissioners for settling the accounts of the five great departments, to continue in office one year.

*Ordered*, That the commissioners of accounts for the quarter-masters, commissaries, hospital, marine and clothing departments, with the approbation of the board of treasury, commence suits in behalf of the United States against all persons in any of the said departments who stand chargeable with public monies, and whose accounts shall not be lodged with the proper commissioners within four months computed from the present date; and that this order be published in the several states for the period above-mentioned.

*Resolved*, That the said commissioners be directed to continue their unremitting attention to the final adjustment of all accounts which have arisen in the said departments, and to the recovery of all sums for which suits may be commenced; and that at the termination of their commission, they deposit with the register of the treasury, all the books and papers of their respective offices, together with a general abstract of the sums due from individuals, in order that immediate measures may be adopted for the recovery of the same.

Congress proceeded to the election, and the ballots being taken, Mr. Jonathan Burrell was elected a commissioner for settling the accounts of the quarter-masters and commissaries departments; having been previously nominated by Mr. Clarke: And

Mr. Benjamin Walker was elected commissioner for settling the accounts of the hospital, marine, and clothier's departments; having been previously nominated by Mr. Dane.

TUESDAY, May 13, 1788.

Congress assembled: Present, New-Hampshire, Massachusetts, Penn-

sylvania, Delaware, Maryland, Virginia and South-Carolina; and from Rhode-Island, Mr. Arnold, from Connecticut, Mr. Mitchell, and from Georgia, Mr. Baldwin.

A letter from Mr. Pierce, commissioner of army accounts, being read, stating his indisposition, and praying for leave of absence from his office for the recovery of his health,

*Resolved*, That leave of absence be granted agreeably to his request; and that he be authorized to continue the assistant he appointed in consequence of the act of April 11th, 1787.

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*WEDNESDAY, May 14, 1788.*

Congress assembled: Present as yesterday.

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*THURSDAY, May 15, 1788.*

Congress assembled: Present, New-Hampshire, Massachusetts, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia and South-Carolina; and from the state of Rhode-Island, Mr. Arnold, from Connecticut, Mr. Mitchell, and from Georgia, Mr. Baldwin.

On a report from the office of the commissioner of army accounts,  
*Resolved*, That it be recommended to the state of New-York, to make good the pay of Francis Cranberry, late a soldier in the 3d battalion of New-York forces, from the 25th of August, 1778, to the 14th of September, 1780, inclusive, and charge the same to the United States.

On a report of the board of treasury, to whom was referred a memorial of John Woods,

*Resolved*, That the sum of 1587 $\frac{30}{90}$  dollars, heretofore paid to John Woods for his service and expenses in attending Indians in the years 1785 and 1787; be in full compensation of his claims and demands whatsoever against the United States for the purposes aforesaid.

Congress proceeded to the choice of a messenger and door-keeper, in the room of Robert Patton, deceased; and, the ballots being taken, James Mathers was elected; having been previously nominated by Mr. S. M. Mitchell.

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*FRIDAY, May 16, 1788.*

Congress assembled: Present, New-Hampshire, Massachusetts, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia and South-Carolina; and from Rhode-Island, Mr. Arnold, from North-Carolina, Mr. Williamson, and from Georgia, Mr. Baldwin.

Mr. H. Williamson, a delegate for North-Carolina, produced credentials, whereby it appears, that he is duly appointed one of the delegates of that state, to the first Monday in November next.

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*MONDAY, May 19, 1788.*

Congress assembled: Present, New-Hampshire, Massachusetts, Pennsylvania, Delaware, Maryland, Virginia and South-Carolina; and from Rhode-Island, Mr. Arnold, from New-York, Mr. Hamilton, from North-Carolina, Mr. Williamson, and from Georgia, Mr. Baldwin.

The secretary at war having represented to Congress, "That there are in the arsenals of the United States, two brass cannon, which con-

stituted one moiety of the field artillery, with which the late war was commenced on the part of America, and which were constantly in service throughout the war: That the said cannon are the property of the commonwealth of Massachusetts; and that the governor thereof hath requested that they be returned;" therefore,

*Resolved*, That the secretary at war cause a suitable inscription to be placed on the said cannon; and that he deliver the same to the order of his excellency the governor of the commonwealth of Massachusetts.

TUESDAY, May 20, 1788.

Congress assembled: Present, New-Hampshire, Massachusetts, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia and South-Carolina; and from North-Carolina, Mr. Williamson, and from Georgia, Mr. Baldwin.

Mr. William Bingham, a delegate for Pennsylvania, attended, and produced credentials of his appointment.

A motion of Mr. Irwine, seconded by Mr. Brown, being under debate, "That the post-master-general be directed to employ posts for the regular transportation of the mail between the city of Philadelphia and the town of Pittsburgh, in the state of Pennsylvania, by the route of Lancaster, York-town, Carlisle, Chamberstown and Bedford; and that the mail be dispatched once in each fortnight from the post-offices respectively."

A motion was made by Mr. Dane, seconded by Mr. Otis, that the consideration thereof be postponed, to take into consideration the following motion:

"That the post-master-general be authorized and directed to contract for the remainder of the present year, for the conveyance of the mail by post-riders, and by the usual route once a week from Portland to Pownalborough, in Massachusetts." And on the question to postpone for the purpose above-mentioned, the yeas and nays being required by Mr. Otis,

<i>New-Hampshire,</i>	Mr. Gilman,	no	}	no
	Mr. Wingate,	no		
<i>Massachusetts,</i>	Mr. Dane,	ay	}	ay
	Mr. Otis,	ay		
<i>New-Jersey,</i>	Mr. Clarke,	no	}	no
	Mr. Dayton,	no		
<i>Pennsylvania,</i>	Mr. Irwine,	no	}	no
	Mr. Read,	no		
	Mr. Bingham,	no		
<i>Delaware,</i>	Mr. Kearny,	no	}	no
	Mr. Mitchell,	no		
<i>Maryland,</i>	Mr. Ross,	no	}	no
	Mr. Seney,	no		
<i>Virginia,</i>	Mr. Griffin,	no	}	no
	Mr. Carrington,	no		
	Mr. Brown,	no		
<i>North-Carolina,</i>	Mr. Williamson,	no	}	*

<i>South-Carolina,</i>	Mr. Huger,	no	} no
	Mr. Parker,	no	
	Mr. Tucker,	no	
<i>Georgia,</i>	Mr. Baldwin,	no	> no

So it passed in the negative.

On the question,

*Resolved,* That the post-master-general be, and he is hereby directed to employ posts for the regular transportation of the mail between the city of Philadelphia and the town of Pittsburgh, in the state of Pennsylvania, by the route of Lancaster, York-town, Carlisle, Chambers-town and Bedford, and that the mail be dispatched once in each fortnight from the post-offices respectively.

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WEDNESDAY, May 21, 1788.

Congress assembled: Present as yesterday.

On a report of the board of treasury, to whom was referred a motion of the delegates of Maryland,

*Resolved,* That the board of treasury take order for the payment of a bill drawn by William Carmichael, Esq; on Mr. John Brown, of Maryland, and accepted by him for the sum of 2000 dollars.

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THURSDAY, May 22, 1788.

Congress assembled: Present as yesterday; and from Rhode-Island, Mr. Arnold.

The committee, consisting of Mr. Dane, Mr. Williamson, Mr. Irwine, Mr. Hamilton and Mr. Brown, to whom was referred a motion of Mr. Dane, relative to public and unsettled accounts, having reported,

“That on carefully examining the subject referred to them, they find that during the late war, and especially in the early periods of it, many millions of dollars were advanced by the United States to sundry persons, of the expenditures whereof proper accounts have not been rendered; and though the persons who have been entrusted with public monies, have been frequently called upon to settle their accounts by the acts and officers of Congress, yet in many cases they have not produced or exhibited to the proper officers, any documents or vouchers on which regular settlements can be made: That several accounts of very considerable extent have been taken up, and so far passed on, that balances appear to be stated generally, and in some cases payments made, though it does not appear that the proper statements were made of the articles which composed those accounts, or that the regular vouchers were produced to support the charges in them. Accounts thus imperfectly stated and unsupported, the committee conceive are justly liable to revision, and particularly so, as it does not appear that the parties have at any time considered them as being finally settled. That from a general view of this subject, the committee are induced to think and believe, that the United States have already suffered very great inconveniencies by inexcusable negligence and unauthorized delays in persons entrusted with public monies, in not rendering and settling their accounts; and that it is become highly expedient that

decisive measures be speedily adopted for closing all the unfettled accounts of the late war :” And therefore the committee are of opinion,

That the board of treasury be directed to cause suits to be commenced in behalf of the United States against all persons who stand charged with public monies, or other property, and that they cause the same to be commenced within three months from this date, against all those persons who have been already specially required to settle their accounts by the proper officers, and who shall not within that time adopt and pursue measures effectual in the opinion of the said board, for settling the same; and within five months from this date, against all other persons so charged, and who shall not within that time adopt and pursue like measures. And that when any material questions shall arise concerning any doubtful or partial settlements of accounts which may have been made, or concerning the operation of any particular suits, the said board be directed to state to Congress particularly, the circumstances of the case, with their opinion thereon.”

*Resolved*, That Congress agree to the said report.

FRIDAY, May 23, 1788.

Congress assembled: Present, New-Hampshire, Massachusetts, New-Jersey, Pennsylvania, Delaware, Maryland and Virginia; and from North-Carolina, Mr. Williamson, from South-Carolina, Mr. Parker, and from Georgia, Mr. Baldwin.

On a report from the board of treasury, to whom was referred a letter of 7th July, 1787, from brigadier-general Harmar, so far as the same relates to contractors or contracts for provisions.

*Resolved*, That the board of treasury, in concurrence with the secretary at war, be, and they are hereby authorized and directed to cause an enquiry to be made into the execution of a certain contract entered into betwixt the said board, Messrs. Turnbull, Marmie and Co. for the supply of the troops under general Harmar, on their late march to post St. Vincents, and that they report the circumstances of the case with their opinion thereon.

On the report of a committee, consisting of Mr. Carrington, Mr. Clarke and Mr. Read, to whom was referred a memorial of Thomas Hutchins,

*Resolved*, That Monday next be assigned for electing a geographer of the United States, whose commission shall continue for two years, unless sooner revoked.

MONDAY, May 26, 1788.

Congress assembled: Present, New-Hampshire, Massachusetts, New-York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia, South-Carolina and Georgia; and from Rhode-Island, Mr. Arnold, and from North-Carolina, Mr. Williamson.

Mr. Abraham Yates, a delegate for New-York, attended, and took his seat, his credentials being before read.

Mr. William Few, a delegate for Georgia, attended, and produced his credentials, which were read.

Congress, agreeably to the order of the day, proceeded to the election of a geographer of the United States, whose commission shall

continue for two years, unless sooner revoked, and, the ballots being taken,

Mr. Thomas Hutchins was elected; having been previously nominated by Mr. Williamson.

Congress resumed the consideration of the supplement to an ordinance for ascertaining the mode of disposing of lands in the western territory, and some progress being made, the farther consideration thereof was postponed till to-morrow.

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TUESDAY, May 27, 1788.

Congress assembled: Present, New-Hampshire, Massachusetts, New-York, New-Jersey, Pennsylvania, Delaware, Virginia, South-Carolina and Georgia; and from Rhode-Island, Mr. Arnold, from Maryland, Mr. Seney, and from North-Carolina, Mr. Williamson.

Congress resumed the consideration of the supplement to an ordinance for ascertaining the mode of disposing of lands in the western territory, and after debate adjourned till to-morrow.

————— ❁ —————  
WEDNESDAY, May 28, 1788.

Congress assembled: Present as yesterday.

Congress resumed the consideration of the supplement to an ordinance for ascertaining the mode of disposing of lands in the western territory, and made some progress.

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THURSDAY, May 29, 1788.

Congress assembled: Present, New-Hampshire, Massachusetts, New-York, New-Jersey, Pennsylvania, Delaware, Virginia, North-Carolina, South-Carolina and Georgia; and from Rhode-Island, Mr. Arnold, and from Maryland, Mr. Seney.

Mr. John Swann, a delegate for North-Carolina, attended, and produced the credentials of his appointment.

Congress resumed the consideration of the supplement to an ordinance for ascertaining the mode of disposing of lands in the western territory, and after debate thereon adjourned.

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FRIDAY, May 30, 1788.

Congress assembled: Present, New-Hampshire, Massachusetts, New-York, New-Jersey, Pennsylvania, Delaware, Virginia, South-Carolina and Georgia; and from Rhode-Island, Mr. Arnold, from Maryland, Mr. Seney, and from North-Carolina, Mr. Williamson.

According to an order of the day, Congress was resolved into a committee of the whole, on a petition in behalf of the inhabitants of the district of Kentucky, and a motion made thereon.

Mr. Otis in the chair.

After some time the president resumed the chair, and the chairman reported, that the committee of the whole have taken into consideration the subject referred to them, but not having time to go through with the same, desire leave to sit again.

*Resolved*, That Congress, on Monday next, be resolved into a committee of the whole, to proceed on the said business.

MONDAY, June 2, 1788.

Congress assembled: Present, New-Hampshire, Massachusetts, Rhode-Island, New-York, New-Jersey, Pennsylvania, Delaware, Virginia, North-Carolina, South-Carolina and Georgia.

Mr. Jonathan Hazard, a delegate from Rhode-Island, attended, and produced the credentials of his appointment.

On a report of a committee, consisting of Mr. Dane, Mr. Clarke and Mr. Hamilton, to whom was referred a report of the board of treasury, relative to the debt due to the United States from De la Lande and Finje,

*Resolved*, That the board of treasury be, and they are hereby authorized to negotiate and settle with De la Lande and Finje, or any person appearing to negotiate and settle the same, the claims and demands which the United States have against the said De la Lande and Finje, and to compound and settle the same on such terms as they may judge most for the interest of the said states, taking into consideration all the circumstances relative to the said debt.

According to order, the house was resolved into a committee of the whole, and after some time, the president resumed the chair, and Mr. Otis reported, that the committee of the whole had taken into consideration the subject referred to them, and agreed thereon to report,

That, in their opinion, it is expedient that the district of Kentucky be erected into an independent state, and therefore they submit the following resolution: "That the address and resolutions from the district of Kentucky, with the acts of the legislature of Virginia therein specified, be referred to a committee, consisting of a member from each state, to prepare and report an act for acceding to the independence of the said district of Kentucky, and for receiving the same into the union as a member thereof, in a mode conformable to the articles of confederation."

TUESDAY, June 3, 1788.

Congress assembled: Present, New-Hampshire, Massachusetts, Rhode-Island, New-York, New-Jersey, Pennsylvania, Delaware, Virginia, South-Carolina and Georgia; and from North-Carolina, Mr. Williamson.

Congress took into consideration the report made yesterday from the committee of the whole, and on the question,

*Resolved*, That Congress agree to the said report.

Congress thereupon proceeded to the election, and, the ballots being taken, the following members were elected and appointed to compose the committee:

Mr. Williamson, from North-Carolina, Mr. Hamilton, from New-York, Mr. Arnold, from Rhode-Island, Mr. Baldwin, from Georgia, Mr. Dane, from Massachusetts, Mr. Kearny, from Delaware, Mr. Gilman, from New-Hampshire, Mr. Brown, from Virginia, Mr. Clarke, from New-Jersey, Mr. Tucker, from South-Carolina, Mr. Read, from Pennsylvania.

WEDNESDAY, June 4, 1788.

Congress assembled: Present as yesterday.

On motion of Mr. Carrington,

*Resolved*, That the board of treasury take order for the payment of 400 dollars to the guardian of Hugh Mercer, son of the late general Mercer, for his education for one year, commencing on the 27th of April last.

On motion of Mr. Dane,

*Resolved*, That the board of treasury take order for the payment of 400 dollars to John Warren, guardian of the eldest son of the late general Warren, for his education for the term of one year, commencing the 4th day of July last.

On the report of a committee, consisting of Mr. Ellery, Mr. Bull and Mr. Holten, to whom was referred a memorial of John Halsted, late of Canada,

*Resolved*, That the commissioners of the board of treasury take order for paying to John Halsted, the sum of 1326 $\frac{3}{4}$  dollars, being the balance which became due to him May, 1775, according to an adjustment of his account by Jonathan Burrell, commissioner of the commissary department, with the interest thereof, or such part of the said balance as the state of the finances will admit, first deducting therefrom the sum of 400 dollars, paid to the said John Halsted by the late superintendent of finance, on the 30th day of October, 1783.

On a report from the board of treasury, to whom was referred a memorial of Mr. David Henley, third commissioner for settling the claims of the state of Virginia, on account of the western territory, ceded by that state to the United States,

*Resolved*, That the expenses attending the service of David Henley, the third commissioner appointed to adjust certain claims on account of the western cession made by the state of Virginia, in pursuance of the act of Congress of the 13th day of April, 1785, ought in the opinion of Congress to be a joint and equal charge against the state of Virginia and the United States.

*Resolved*, That on the part of the United States there be allowed to the said David Henley, at the rate of three dollars per day, on account of his service and expenses whilst attending on that business.

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THURSDAY, June 5, 1788.

Six states only attending; namely, New-Hampshire, Massachusetts, Rhode-Island, New-York, Virginia and Georgia; and from New-Jersey, Mr. Clarke, from North-Carolina, Mr. Williamson, and from South-Carolina, Mr. Parker; the president adjourned Congress till to-morrow.

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FRIDAY, June 6, 1788.

Congress assembled: Present, New-Hampshire, Massachusetts, Rhode-Island, New-York, New-Jersey, Delaware, Virginia, South-Carolina and Georgia; and from Pennsylvania, Mr. Read, and from North-Carolina, Mr. Williamson.

On the report of a committee, consisting of Mr. Clarke, Mr. Irwine, Mr. Armstrong, Mr. Wadsworth and Mr. Brown, to whom was referred a motion of Mr. Irwine,

*Resolved*, That the geographer of the United States be, and he is hereby directed to ascertain by himself or by a deputy duly appointed



for the purpose, the boundary line between the United States and the states of New-York and Massachusetts, agreeably to the deeds of cession of the said states.

That the said geographer inform the executives of the states of New-York and Massachusetts of the time of running the said line, in order that they or either of them may, if they think proper, have persons attending at the time.

That the said geographer or his deputy, having run the meridian between lake Erie and the state of Pennsylvania, and marked and noted down in his field-book, proper land marks for perpetuating the same, shall proceed to make a survey of the land lying west of the said line, between lake Erie and the state of Pennsylvania, so as to ascertain the quantity thereof, and make return of such survey to the board of treasury, who are hereby authorized and empowered at any time before or after such survey, to sell the said tract in whole, at private sale, for a price not less than three-fourths of a dollar per acre in specie, or public securities drawing interest.

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*MONDAY, June 9, 1788.*

Congress assembled: Present, New-Hampshire, Massachusetts, Rhode-Island, New-York, New-Jersey, Pennsylvania, Delaware, Virginia, South-Carolina and Georgia; and from Connecticut, Mr. Edwards, and from North-Carolina, Mr. Williamson.

Mr. Pierpoint Edwards, a delegate for Connecticut, produced the credentials of his appointment, which were read.

On motion of Mr. Clarke,

*Ordered,* That the board of treasury lay before Congress an estimate of the sums necessary for the services of the year 1788, including the interest on the foreign and domestic debt, and the amount of the capital of the foreign which will become due in the year 1789.

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*WEDNESDAY, June 11, 1788.*

Congress assembled: Present, New-Hampshire, Massachusetts, Rhode-Island, New-York, New-Jersey, Pennsylvania, Virginia, South-Carolina and Georgia; and from Connecticut, Mr. Edwards, from Delaware, Mr. Mitchell, and from North-Carolina, Mr. Williamson.

On the report of a committee, consisting of Mr. Dane, Mr. Hamilton and Mr. Brown, to whom was referred a petition of John Buchanan, and other invalids, and who were ordered to take into consideration the invalid establishment,

*Resolved,* That each state shall have credit in its general account with the United States, for such sums as became due to invalids before the first day of January, 1782, and which have been or shall be paid to them by the state; and for such sums as became due to invalids from the said first day of January, 1782, inclusive, to the first day of January, 1788, and which have been or shall be paid to them by any state, the state shall have credit in the existing specie requisitions of Congress; and for sums that may so become due after January, 1788, and be paid by any state, the state shall have credit in the specie requisitions of Congress which may hereafter be made.

*Resolved,* That no person shall be entitled to a pension as an inva-

lid, who has not, or shall not before the expiration of six months from this time make application therefor, and produce the requisite certificates and evidence to entitle him thereto.

*Ordered*, That the remainder of the report be recommitted.

On a report of the secretary at war, to whom was referred a memorial of Thomas H. Cushing,

*Resolved*, That the petition of Thomas H. Cushing for rank and emoluments in the late army cannot be granted.

On the report of a committee, consisting of Mr. Baldwin, Mr. Wingate and Mr. Williamson, to whom was referred a letter from Mr. Burrall;

*Resolved*, That the post-master-general be, and he is hereby instructed, that in case in examining dead letters, he shall find any letters or packages directed to any accountant or other officer of the United States on public business, he deliver the same to the officer or officers to whom directed, free from any charge of postage.

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THURSDAY, June 12, 1788.

Congress assembled: Present, New-Hampshire, Massachusetts, Rhode-Island, New-York, New-Jersey, Pennsylvania, Delaware, Virginia, South-Carolina and Georgia; and from Connecticut, Mr. Edwards, and from North-Carolina, Mr. Williamson.

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FRIDAY, June 13, 1788.

Congress assembled: Present, New-Hampshire, Massachusetts, Rhode-Island, New-Jersey, Pennsylvania, Delaware, Virginia, South-Carolina and Georgia; and from Connecticut, Mr. Edwards, from New-York, Mr. Yates, and from North-Carolina, Mr. Williamson.

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MONDAY, June 16, 1788.

Congress assembled: Present, New-Hampshire, Massachusetts, Rhode-Island, New-York, New-Jersey, Pennsylvania, Virginia, South-Carolina and Georgia; and from Connecticut, Mr. Edwards, from Delaware, Mr. Kearny, from Maryland, Mr. Contee, and from North-Carolina, Mr. Williamson.

Mr. Ezra L'Hommedieu, a delegate for New-York, attended, and produced his credentials.

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TUESDAY, June 17, 1788.

Congress assembled: Present nine states as yesterday; and from Connecticut, Mr. Edwards, from Maryland, Mr. Contee, and from North-Carolina, Mr. Williamson.

On motion of Mr. Clarke, seconded by Mr. Dane,

*Ordered*, That the secretary of Congress furnish the board of treasury with a copy of the circular letter to the several states, from the committee of Congress with the army, dated the 2d June, 1780, in order that the said board may instruct the commissioners in the settlement of the accounts of the states for supplies furnished in consequence of the said letter.

On the memorial of Isaac Trowbridge, stating, that in making his contract with the post-master-general for the transportation of the mail

between the cities of New-York and Hartford, for the year 1788, he was under a mistake regarding the expenses, and praying for a further allowance, or to be excused from transporting the mail more than twice a week.

*Resolved*, That the prayer of the memorial cannot be granted.

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*WEDNESDAY, June 18, 1788.*

Congress assembled: Present, New-Hampshire, Massachusetts, New-York, New-Jersey, Pennsylvania, Virginia, North-Carolina, South-Carolina and Georgia; and from Rhode-Island, Mr. Arnold, from Connecticut, Mr. Edwards, and from Maryland, Mr. Contee.

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*THURSDAY, June 19, 1788.*

Congress assembled: Present as yesterday.

On the report of a committee, consisting of Mr. Baldwin, Mr. Clarke, Mr. Dane, Mr. Tucker and Mr. Dayton, to whom was referred a report of the board of treasury on a memorial of John Woods,

*Resolved*, That the board of treasury take order for paying to John Woods the sum of 178 $\frac{40}{9}$  dollars, to complete the payment of a sum supposed to have been paid by the act of Congress of the 15th day of May last.

On a report of the secretary at war, to whom was referred a letter of 9th May, from his excellency governor Randolph, enclosing a letter of the 13th March last, from colonel Joseph Martin,

*Resolved*, That an agent be appointed for the Cherokee nation of Indians, to continue in office six months, to commence from the time he shall take upon him the duties of his office; the said agent to act in subordination to the superintendant of the southern-department for the time being, and to govern himself, in all cases, by the instructions which shall be transmitted to him by Congress, and that he be allowed at the rate of 500 dollars per annum.

*Ordered*, That to-morrow be assigned for the election of the agent.

Congress resumed the consideration of the supplement to the ordinance, entitled "An ordinance for ascertaining the mode of disposing of lands in the western territory," and the following clause being under debate:

"And whereas the state of Virginia, in their deed of cession to the United States, reserved such a quantity of land on the north-west side of the Ohio, between the rivers Miami and Sciota, as would make up the deficiency of certain lands on the south-east side of the Ohio, to satisfy their grants as bounties to their officers and soldiers; in order therefore that justice may be done to the said troops, agreeably to the stipulation mentioned in the said cession, *Be it further ordained*, That no part of the said tract of land between the rivers Little Miami and Sciota, shall be disposed of by the United States, within the term of two years from the passing of this ordinance, in order that sufficient time may be given to the state of Virginia, or those entitled to bounties under said state, to ascertain the quantity of land on the north-west side of the Ohio, requisite to make good the deficiency mentioned in the deed of cession; and that until the amount of the deficiency, if any, mentioned in the said deed of cession, shall be clearly ascertained

to the satisfaction of Congress, no locations whatever for that purpose, or on account thereof, shall be made by any of the officers or soldiers of the Virginia troops, on the north-west side of the Ohio."

A motion was made by Mr. Carrington, seconded by Mr. Brown, to strike out the words, "and that until the amount of the deficiency, &c. to Ohio," inclusive,

And on the question, shall those words stand? the yeas and nays being required by Mr. Clarke,

<i>New-Hampshire,</i>	Mr. <i>Gilman,</i>	<i>ay</i> }	<i>ay</i>
	Mr. <i>Wingate,</i>	<i>ay</i> }	
<i>Massachusetts,</i>	Mr. <i>Dane,</i>	<i>ay</i> }	<i>ay</i>
	Mr. <i>Otis,</i>	<i>ay</i> }	
<i>Rhode-Island,</i>	Mr. <i>Arnold,</i>	<i>ay</i> }	*
<i>Connecticut,</i>	Mr. <i>Edwards,</i>	<i>no</i> }	*
<i>New-York,</i>	Mr. <i>L'Hommedieu,</i>	<i>ay</i> }	<i>ay</i>
	Mr. <i>Yates,</i>	<i>ay</i> }	
<i>New-Jersey,</i>	Mr. <i>Clarke,</i>	<i>ay</i> }	<i>ay</i>
	Mr. <i>Dayton,</i>	<i>ay</i> }	
<i>Pennsylvania,</i>	Mr. <i>Bingham,</i>	<i>ay</i> }	<i>divided.</i>
	Mr. <i>Read,</i>	<i>no</i> }	
<i>Maryland,</i>	Mr. <i>Contee,</i>	<i>no</i> }	*
<i>Virginia,</i>	Mr. <i>Griffin,</i>	<i>no</i> }	
	Mr. <i>Carrington,</i>	<i>no</i> }	<i>no</i>
	Mr. <i>Brown,</i>	<i>no</i> }	
<i>North-Carolina,</i>	Mr. <i>Williamson,</i>	<i>ay</i> }	<i>ay</i>
	Mr. <i>Swann,</i>	<i>ay</i> }	
<i>South-Carolina,</i>	Mr. <i>Parker,</i>	<i>no</i> }	<i>no</i>
	Mr. <i>Tucker,</i>	<i>no</i> }	
<i>Georgia,</i>	Mr. <i>Baldwin,</i>	<i>no</i> }	*

So the question was lost, and the words were struck out.

Ordered, That the supplement as amended, be referred to a committee of five.

FRIDAY, June 20, 1788.

Congress assembled: Present, New-Hampshire, Massachusetts, Rhode-Island, New-York, New-Jersey, Pennsylvania, Virginia, North-Carolina, South-Carolina and Georgia; and from Connecticut, Mr. Edwards, and from Maryland, Mr. Contee.

According to order, Congress proceeded to the election of an agent for the Cherokee nation of Indians, agreeably to the act passed yesterday, and, the ballots being taken,

Col. Joseph Martin was elected, having been previously nominated by Mr. Brown.

The committee, consisting of Mr. Williamson, Mr. Dane, Mr. Carrington, Mr. Kearny and Mr. Wingate, to whom was referred a memorial of George Morgan, and his associates, respecting a tract of land in the Illinois country, on the Mississippi, having reported thereon, and their report being amended to read as follows: "That there are sundry French settlements on the river Mississippi, within the tract which Mr. Morgan and his associates propose to purchase. Near

the mouth of the river Kaskaskies, there is a village which appears to have contained near 80 families, from the beginning of the late revolution. There are 12 families in a small village at la Prairie du Rochers, and near 50 families at the Kahokia village. There are also four or five families at Fort-Chartres and St. Philip's, which is five miles farther up the river. The heads of families in those villages appear each of them to have had a certain quantity of arable land allotted to them, and a proportionate quantity of meadow and of wood-land or pasture. Your committee are of the opinion, that from any general sale which may be made of the lands on the Mississippi, there should at least be a reserve of so much land as may satisfy all the just claims of the ancient settlers on that river, and that they should be confirmed in the possession of such lands as they may have had at the beginning of the late revolution, which may have been allotted to them according to the laws or usages of the governments under which they have respectively settled. And whereas an additional quantity of land may be necessary for the support of those people whenever the settlement shall increase, and the Indian trade, by which they have chiefly subsisted, shall become less profitable; your committee are of the opinion, that such allowance should also be made to them within the reserved limits. Your committee observe, that in the contract which is already made for the sale of a tract of land in the western country, the purchasers are to be charged with surveying three lots which are reserved for the benefit of the United States. They conceive that future contractors may be relieved from this expense, but they would propose that every agreement hereafter to be made, shall be equally binding on the contracting parties; whereupon they submit the following resolves:

That the board of treasury be authorized to contract with any person or persons for a grant of a tract of land, which shall be bounded as follows: Beginning on the river Au Vase, in the parallel of latitude of the mouth of little Wabash river; thence running due north to the parallel of latitude which passes through the mouth of Wood river; thence west to the Mississippi at the mouth of Wood river; thence down the river Mississippi to the mouth of the river Au Vase; thence up the said river to the place of beginning, under the exceptions and reservations hereinafter-mentioned.

That the purchaser or purchasers shall oblige themselves to lay off the tract at their own expense, into townships or fractional parts of townships, and to divide the same into lots according to the land ordinance of the 20th May, 1785, complete returns of which are to be made to the board of treasury. The lot No. 16, in each township, or fractional part of a township, to be given perpetually for the purposes contained in the said ordinance; and the lot No. 29, in each township, or fractional part of a township, to be given perpetually for the purposes of religion; and that each of the several townships shall be thus laid off before the original purchaser or purchasers shall have disposed of the same, or made any settlement therein. The price to be not less than two-thirds of a dollar per acre for the contents of the said tract, except the reservations and gifts herein mentioned, payable in specie, loan-office certificates reduced to specie value, or certificates of liqui-

dated debts of the United States ; the principal only of the said certificates to be received in payment ; and the board of treasury, for such interest as may be due on the certificates rendered in payment as aforesaid, prior to the 1st day of January, 1787, shall issue indents for interest to the possessors, which shall be receivable in payment as other indents for interest of the existing requisitions of Congress ; and for such interest as may be due on the said certificates between that period and the time of payment, the board shall issue indents, the payment of which to be provided hereafter. That part of the purchase-money, not less than 150,000 dollars shall be paid down upon the closing of the contract, and the remainder of the purchase-money whenever the Indian claim shall have been extinguished, and the boundary line of the tract run by the geographer of the United States or his assistant ; the contents of the land which is to be sold, ascertained, and a plot of the same returned to the office of the treasury board, on which payment a grant shall be made, and the purchaser or purchasers shall have the right of entry and occupancy.

That separate tracts shall be reserved for satisfying the claims of the ancient settlers, which shall be included within the following boundary, viz. A straight line to be extended from the mouth of the little river Marie, below the river Kaskaskies, to the old French fort on the east side of the said river Kaskaskies and opposite the Kaskaskie village ; thence north three miles ; thence west across the Kaskaskies river to the ridge of rocks and high land which extend from the Kaskaskies to the Illinois rivers ; then along the west side or foot of the said ridge of rocks and high land, to the parallel that runs two miles north of the church at Kahokia ; thence west to the river Mississippi ; thence down the said river to the mouth of the river Marie.

That measures be immediately taken for confirming in their possessions and titles, the French and Canadian inhabitants and other settlers on those lands, who on or before the year 1783, had professed themselves citizens of the United States, or any of them, and for laying off the several tracts which they rightfully claim within the described limits ; and for laying off for the benefit of the said inhabitants, three additional tracts adjoining the several villages, Kaskaskies, La Prairie du Rochers and Kahokia, in the form of a parallelogram, extending from the river Mississippi eastward, to the ridge of rocks before described, and of such extent as shall contain 400 acres for each of the families now living at either of the villages of Kaskaskies, La Prairie du Rochers, Kahokia, Fort-Chartres, or St. Philip's. The additional reserved tract adjoining the village of Kaskaskies shall be for the heads of families in that village ; the tract adjoining La Prairie du Rochers for the heads of families in that village ; and the tract adjoining Kahokia for the heads of families in that village, as also for those at Fort-Chartres and St. Philip's. Such additional donations of 400 acres each to be distributed by lot, and immediate possession given : *Provided nevertheless*, that no person thus obtaining possession of such donation lands shall have power to alienate the same, until he or she, or his or her heirs shall have resided at least three years from the time of such distribution, within that district ; at the end of which period, every such resident shall obtain a title to the reserved lot ; and all lots not thus conveyed to residents, shall revert to the United States.

That whenever the French and Canadian inhabitants, and other settlers aforesaid, shall have been confirmed in their possessions and titles, and the amount of the same ascertained, and the three additional parallelograms for future donations, and a tract of land one mile square on the Mississippi, extending as far above as below Fort-Chartres, and including the said fort, the buildings and improvements adjoining the same, shall be laid off; the whole remainder of the soil within the reserved limits above described, shall be considered as appertaining to the general purchase, and shall be conveyed accordingly.

That measures be immediately taken to extinguish the Indian claim, if any such exists, to the land bordering on the Mississippi from the mouth of the Ohio to a determined station on the Mississippi, that shall be 60 or 80 miles north from the mouth of the Illinois river, and extending from the Mississippi as far eastward as may be.

That the governor of the western territory be instructed to repair to the French settlements on the Mississippi, at and above the Kaskaskies: That he examine the titles and possessions of the settlers as above described, in order to determine what quantity of land they may severally claim, which shall be laid off for them at their own expense; and that he take an account of the several heads of families living within the reserved limits, in order that he may determine the quantity of land that is to be laid off in the several parallelograms, which shall be laid off accordingly by the geographer of the United States, or his assistant, at the expense of the United States.

That the geographer of the United States be instructed to take the latitude of the mouth of the river Au Vase, and the mouth of Wood river, and of the north-east and southern angle of the tract; and that in executing all other large surveys, he take the latitude of three or four of the chief corners."

*Resolved*, That Congress agree to the said report.

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MONDAY, June 23, 1788.

Congress assembled: Present, New-Hampshire, Massachusetts, Rhode-Island, New-York, New-Jersey, Virginia, South-Carolina and Georgia; and from Connecticut, Mr. Edwards, from Pennsylvania, Mr. Read, from Maryland, Mr. Contee, and from North-Carolina, Mr. Williamson.

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TUESDAY, June 24, 1788.

Congress assembled: Present, New-Hampshire, Massachusetts, Rhode-Island, New-York, New-Jersey, Pennsylvania, Virginia, South-Carolina and Georgia; and from Connecticut, Mr. Edwards, from Maryland, Mr. Contee, and from North-Carolina, Mr. Williamson.

On a report of the board of treasury, to whom was referred a letter of Andrew Duncomb, Esq; commissioner of the state of Virginia, for settling their accounts with the United States, addressed to his excellency the governor of the said state, and dated the 23d of May last,

*Resolved*, That the several states be allowed three months, in addition to the time limited by the ordinance of the 7th May, 1787, for exhibiting to the district commissioners, their respective accounts against

the United States; and that three months be added to the twelve months mentioned in the said ordinance, for terminating the commission of the said district commissioners.

*Resolved*, That the several states be authorized to transmit to the accountant of the treasury, the commissioner of army accounts, and to the general board of commissioners, to be appointed in pursuance of the ordinance of the 7th May, 1787, such additional vouchers or other testimony as they may think necessary to support any claims by them exhibited to the respective officers aforesaid, provided the same be transmitted at least six months previous to the termination of the office of the general board, as fixed by the ordinance above-mentioned.

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 WEDNESDAY, June 25, 1788.

Congress assembled: Present, New-Hampshire, Massachusetts, Rhode-Island, New-York, New-Jersey, Pennsylvania, Virginia and South-Carolina; and from Connecticut, Mr. Edwards, from Maryland, Mr. Contee, from North-Carolina, Mr. Williamson, and from Georgia, Mr. Baldwin.

On motion of Mr. Clarke, seconded by Mr. Williamson,

*Resolved*, That the office of inspector of the troops in the service of the United States, immediately cease and be discontinued; and that the secretary at war report what mode may be most eligible for having the troops inspected for the future.

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 THURSDAY, June 26, 1788.

Congress assembled: Present as yesterday.

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 FRIDAY, June 27, 1788.

Congress assembled: Present, New-Hampshire, Massachusetts, Rhode-Island, New-York, New-Jersey, Pennsylvania, Virginia, North-Carolina, South-Carolina and Georgia; and from Connecticut, Mr. Edwards, and from Maryland, Mr. Contee.

The committee, consisting of Mr. Baldwin, Mr. Gilman, Mr. Dane, Mr. Bingham and Mr. Edwards, to whom was referred a letter of the 15th November, 1787, from the governor of Georgia, together with a paper accompanying the same, having reported, "That Congress enter into the following resolve: That should the superintendant and commissioners appointed for holding treaties with the Indians in the southern-department, not be able to bring the Indians to explain the cause of their present hostilities, and to enter into a treaty with the United States, upon reasonable-terms, Congress will take measures for the protection of that frontier of the United States." This report being under consideration, a motion was made by the delegates of Georgia to postpone the said report, in order to take up the following, viz.

"Whereas it is represented to Congress by the delegates of the state of Georgia, that the principal parts of the frontiers of that state have been, for several years past, invaded and kept in a state of alarm by the Creek Indians; that the fighting men of that nation, supposed to amount to not less than 6000, have been so far instigated by refugees and fugitive traders, who had formerly escaped from these states and taken refuge among them, as to keep up constant and bloody incur-



sions on the different parts of that frontier, and that the settlements of four of the exterior counties are almost entirely broken up: And whereas measures have been repeatedly taken by Congress to find out if there be any cause of uneasiness and hostility towards the citizens of these United States, and effectually to remove the same; but such measures have always been rejected by the Creek nation, and they have refused to hold any treaty with the agents of the United States:

*Resolved*, That the superintendant and commissioners for the southern-department, be instructed to notify to the said Indians, that should they persist in refusing to enter into a treaty with the United States, upon reasonable terms, the arms of the United States shall be called forth for the protection of that frontier: *Resolved*, That the secretary at war report to Congress what detachments of militia, and supplies for the same, will be necessary for the purposes specified in the preceding resolve, and a plan of carrying the same into effect, as nearly as may be, in conformity to the resolution of the 21st July last, for the protection of the frontiers of Pennsylvania and Virginia."

And on the question to postpone for the purpose above-mentioned, the yeas and nays being required by Mr. Baldwin,

<i>New-Hampshire,</i>	Mr. Gilman,	ay	} ay
	Mr. Wingate,	ay	
<i>Massachusetts,</i>	Mr. Dane,	no	} no
	Mr. Otis,	no	
<i>Rhode-Island,</i>	Mr. Arnold,	no	} divided.
	Mr. Hazard,	ay	
<i>New-York,</i>	Mr. L'Hommedieu,	no	} no
	Mr. Yates,	no	
<i>New-Jersey,</i>	Mr. Clarke,	no	} divided.
	Mr. Dayton,	ay	
<i>Pennsylvania,</i>	Mr. Bingham,	ay	} ay
	Mr. Read,	ay	
<i>Maryland,</i>	Mr. Contee,	ay	} *
	Mr. Griffin,	ay	
<i>Virginia,</i>	Mr. Carrington,	ay	} ay
	Mr. Brown,	ay	
	Mr. Williamson,	ay	
<i>North-Carolina,</i>	Mr. Swann,	ay	} ay
	Mr. Huger,	ay	
<i>South-Carolina,</i>	Mr. Tucker,	ay	} ay
	Mr. Few,	ay	
<i>Georgia,</i>	Mr. Baldwin,	ay	} ay

So the question was lost.

TUESDAY, July 1, 1788.

Congress assembled: Present, New-Hampshire, Massachusetts, Connecticut, New-York, New-Jersey, Pennsylvania, Virginia, South-Carolina and Georgia; and from Maryland, Mr. Contee, and from North-Carolina, Mr. Williamson.

Mr. Benjamin Huntington, a delegate from Connecticut, attended, and took his seat.

WEDNESDAY, July 2, 1788.

Congress assembled: Present, New-Hampshire, Massachusetts, Rhode-Island, Connecticut, New-York, New-Jersey, Pennsylvania, Virginia, North-Carolina, South-Carolina and Georgia; and from Maryland, Mr. Contee.

The committee, consisting of Mr. Dane, Mr. Clarke, Mr. Baldwin, Mr. Williamson and Mr. Edwards, to whom was referred the supplement to an ordinance entitled "An ordinance for ascertaining the mode of disposing of lands in the western territory," reported another draft, which was read a first time,

*Ordered*, That it be read a second time on Monday next.

The state of New-Hampshire having ratified the constitution transmitted to them by the act of the 23th of September last, and transmitted to Congress their ratification, and the same being read, the president reminded Congress that this was the ninth ratification transmitted and laid before them; whereupon,

On motion of Mr. Clarke, seconded by Mr. Edwards,

*Ordered*, That the ratifications of the constitution of the United States, transmitted to Congress, be referred to a committee to examine the same, and report an act to Congress for putting the said constitution into operation, in pursuance of the resolutions of the late federal convention.

On the question to agree to this order, the yeas and nays being required by Mr. Yates,

<i>New-Hampshire,</i>	Mr. Gilman,	ay	} ay
	Mr. Wingate,	ay	
<i>Massachusetts,</i>	Mr. Dane,	ay	} ay
	Mr. Otis,	ay	
<i>Rhode-Island,</i>	Mr. Arnold,		} excused.
	Mr. Hazard,		
<i>Connecticut,</i>	Mr. Huntington,	ay	} ay
	Mr. Edwards,	ay	
<i>New-York,</i>	Mr. L'Hommedieu,	ay	} divided.
	Mr. Yates,	no	
<i>New-Jersey,</i>	Mr. Clarke,	ay	} ay
	Mr. Elmer,	ay	
	Mr. Dayton,	ay	
<i>Pennsylvania,</i>	Mr. Bingham,	ay	} ay
	Mr. Read,	ay	
<i>Maryland,</i>	Mr. Contee,	ay	} *
<i>Virginia,</i>	Mr. Griffin,	ay	
	Mr. Carrington,	ay	} ay
	Mr. Brown,	ay	
<i>South-Carolina,</i>	Mr. Huger,	ay	} ay
	Mr. Parker,	ay	
	Mr. Tucker,	ay	
<i>Georgia,</i>	Mr. Few,	ay	} ay
	Mr. Baldwin,	ay	

So it passed in the affirmative.

A motion being made by Mr. Dane, seconded by Mr. Huger, That the contract made by John Adams, Esq; minister plenipoten-

tiary in behalf of the United States of America, on the 13th of March, 1788, for the loan of 1,000,000 of guilders, be ratified:

And on the question to agree to this, the yeas and nays being required by Mr. Yates,

<i>New-Hampshire,</i>	Mr. Gilman,	ay	} ay
	Mr. Wingate,	ay	
<i>Massachusetts,</i>	Mr. Dane,	ay	} ay
	Mr. Otis,	ay	
<i>Connecticut,</i>	Mr. Huntington,	ay	} ay
	Mr. Edwards,	ay	
<i>New-York,</i>	Mr. L'Hommedieu,	ay	} divided.
	Mr. Yates,	no	
<i>New-Jersey,</i>	Mr. Clarke,	ay	} ay
	Mr. Elmer,	ay	
	Mr. Dayton,	ay	
<i>Pennsylvania,</i>	Mr. Bingham,	ay	} ay
	Mr. Read,	ay	
<i>Maryland,</i>	Mr. Contee,	ay	} *
	Mr. Griffin,	ay	
<i>Virginia,</i>	Mr. Carrington,	ay	} ay
	Mr. Brown,	ay	
	Mr. Williamson,	ay	
<i>North-Carolina,</i>	Mr. Swann,	ay	} ay
	Mr. Huger,	ay	
<i>South-Carolina,</i>	Mr. Parker,	ay	} ay
	Mr. Tucker,	ay	
	Mr. Few,	ay	
<i>Georgia,</i>	Mr. Baldwin,	ay	} ay

So it was *Resolved*, That the contract made by John Adams, Esq; minister plenipotentiary in behalf of the United States of America, on the 13th of March, 1788, for the loan of 1,000,000 of guilders, be, and it is hereby ratified.

*Resolved*, That three fair copies of the contract, with the ratification in the form of that agreed to on the 1st of February, 1785, *mutatis mutandis*, endorsed on each copy, be made out and duly attested, and that the secretary for the department of foreign affairs transmit the same by several conveyances to T. Jefferson, Esq; minister plenipotentiary of the United States at the court of France.

On the report of a committee, consisting of Mr. Dane, Mr. Baldwin, Mr. Wingate, Mr. Edwards and Mr. Williamson, to whom was referred a report of the board of treasury on memorials of Samuel Nicholson,

*Resolved*, That the board of treasury be, and they are hereby authorized and directed on such evidence, considering all the circumstances of the case, as they may deem satisfactory, to ascertain the number and value of the prizes which were captured in the year 1777, by the ship *Reprisal*, commanded by capt. Weeks, the sloop *Dolphin*, commanded by capt. Samuel Nicholson, and the brig *Lexington*, commanded by capt. Johnson, and which were delivered into the possession of Thomas Morris, one of the commercial agents in France for the

United States; and that the commissioner of accounts in the marine department, according to such estimate as shall be made by the said board, be, and he is hereby authorized and directed to ascertain the amount of the respective shares in the prizes included in such estimate to which the officers and crews of the said ship, sloop and brig may severally be entitled, and settle accounts between them and the United States accordingly.

*Resolved*, That Mr. Robert Morris, surviving partner and administrator of the late Thomas Morris, one of the commercial agents for the United States in the kingdom of France, be required to transmit to the board of treasury, all the accounts and vouchers relative to the public transactions of the deceased, in order that an adjustment may be made of the same with the administrator, agreeably to the intention of the act of Congress of the 4th of September, 1778.

On motion of Mr. Clarke, seconded by Mr. Dayton,

*Resolved*, That the sum of 20,000 dollars in addition to the 14,000 dollars already appropriated, be appropriated for defraying the expenses of the treaties which have been ordered, or which may be ordered to be held on the present year with the several Indian tribes in the northern-department, and for extinguishing the Indian claims; the whole of the said 20,000 dollars, together with 6000 dollars of the said 14,000 dollars to be applied solely to the purpose of extinguishing Indian claims to the lands they have already ceded to the United States, by obtaining regular conveyances for the same, and for extending a purchase beyond the limits hitherto fixed by treaty; but that no part of the said sums be applied for any purpose other than those above-mentioned.

The committee, to whom was referred the report of the committee of the whole, on the address and resolutions from the district of Kentucky, being at their desire discharged; thereupon a motion was made by Mr. Brown, seconded by Mr. Carrington, for the purpose of ratifying and confirming the compact between the state of Virginia and the said district.

*Ordered*, That the consideration of this motion be the order of the day for to-morrow.

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THURSDAY, July 3, 1788.

Congress assembled: Present, New-Hampshire, Massachusetts, Rhode-Island, New-York, New-Jersey, Pennsylvania, Virginia, North-Carolina, South-Carolina and Georgia; and from Connecticut, Mr. Huntington, and from Maryland, Mr. Contee.

The order of the day being called for, the motion of Mr. Brown was read in the words following:

“Whereas it appears to Congress that the state of Virginia, by two acts of the legislature thereof, one entitled “An act concerning the erection of the district of Kentucky into an independent state,” passed at their October sessions, in the year 1785; the other passed at their October session, in the year 1786, entitled “An act making further provision for the erection of the district of Kentucky into an independent state;” hath entered into a solemn compact with that part of the said state called the district of Kentucky, permitting the same to be erected into a separate and independent state, to be ad-

mitted into union with the United States, as a federal member thereof, upon certain terms and conditions in the said acts stipulated; and it further appearing to Congress that the said district in convention assembled, did in conformity to the said acts, by certain resolutions entered into on the 22d day of September, 1787, determine that it was expedient that the said district should be erected into an independent state, on the terms and conditions specified in said acts, and did present to Congress an address, praying to be admitted into union with the United States as a federal member. And whereas it appears to Congress to be just and reasonable that the application of the said district of Kentucky should be complied with; *Resolved* therefore, that the United States in Congress assembled, do ratify and confirm the compact entered into between the state of Virginia and the district of Kentucky, agreeably to the acts and resolutions aforesaid; and that the said district be admitted into union with the United States as an independent federal member, on the first day of January, 1789, and be stiled the commonwealth of Kentucky. *Resolved*, That Congress will release the state of Virginia from all federal obligations arising within the said district, after the said first day of January, 1789, and from such part of her quota of the continental debt as shall be apportioned to the said district, whenever the same shall have been ascertained agreeably to the stipulations of the compact aforesaid. *Resolved*, That the said district shall be admitted to a representation in Congress, after the said first day of January, 1789, provided, from an accurate census, it shall appear that the said district contains 60,000 inhabitants."

A motion was made by Mr. Dane, seconded by Mr. Tucker, to postpone the consideration of the foregoing motion, in order to take up the following:

"Whereas application has been lately made to Congress, by the legislature of Virginia and the district of Kentucky, for the admission of the said district into the federal union, as a separate member thereof, on the terms contained in the acts of the said legislature, and in the resolutions of the said district relative to the premises. And whereas Congress, having fully considered the subject, did on the 3d day of June last *Resolve*, That it is expedient that the said district be erected into a sovereign and independent state, and a separate member of the federal union, and appointed a committee to report an act accordingly, which committee on the 2d instant was discharged, it appearing that nine states had adopted the constitution of the United States, lately submitted to conventions of the people; and whereas a new confederacy is formed among the ratifying states, and it is highly probable that the state of Virginia, including the said district, has already become a member of the said confederacy: And whereas an act of Congress in the present state of the government of the country, severing a part of the said state from the other parts thereof, and admitting it into the confederacy formed by the articles of confederation and perpetual union, as an independent member thereof, may be attended with dangerous consequences, while it can have no effect to make the said district a separate member of the federal union formed by the adoption of the said constitution, and therefore it must

be manifestly inexpedient for Congress assembled, under the said articles of confederation, to adopt any other measures relative to the premises, than those which express their sense that the said district ought to be an independent member of the union, as soon as circumstances shall permit proper measures to be adopted for that purpose. *Resolved*, That a copy of the proceedings of Congress relative to the independency of the district of Kentucky, be transmitted to the legislature of Virginia, and that the said legislature be informed, that as the constitution of the United States is now ratified, Congress think it unadvisable to adopt any further measures for admitting the district of Kentucky into the federal union, as an independent member thereof, under the articles of confederation and perpetual union; but that Congress, thinking it expedient that the said district be made a separate state, and member of the union, as soon after proceedings shall commence, under the said constitution as circumstances shall permit; recommend it to the said legislature and to the inhabitants of the said district, so to alter their acts and resolutions relative to the premises, as to render them conformable to the provisions made in the said constitution, to the end that no impediment may be in the way of the speedy accomplishment of this important business.

On the question to postpone for the purpose above-mentioned; the yeas and nays being required by Mr. Brown,

<i>New-Hampshire,</i>	Mr. Gilman,	ay	} ay
	Mr. Wingate,	ay	
<i>Massachusetts,</i>	Mr. Dane,	ay	} ay
	Mr. Otis,	ay	
<i>Rhode-Island,</i>	Mr. Arnold,	ay	} ay
	Mr. Hazard,	ay	
<i>Connecticut,</i>	Mr. Huntington,	ay	} *
<i>New-York,</i>	Mr. L'Hommedieu,	ay	
	Mr. Yates,	ay	} ay
<i>New-Jersey,</i>	Mr. Clarke,	ay	
	Mr. Elmer,	ay	} ay
	Mr. Dayton,	ay	
<i>Pennsylvania,</i>	Mr. Bingham,	ay	} ay
	Mr. Read,	ay	
<i>Maryland,</i>	Mr. Contee,	ay	} *
<i>Virginia,</i>	Mr. Griffin,	no	
	Mr. Carrington,	no	} no
	Mr. Brown,	no	
<i>North-Carolina,</i>	Mr. Williamson,	ay	} ay
	Mr. Swann,	ay	
<i>South-Carolina,</i>	Mr. Huger,	ay	} ay
	Mr. Parker,	ay	
	Mr. Tucker,	ay	
<i>Georgia,</i>	Mr. Few,	ay	} ay
	Mr. Baldwin,	ay	

So it passed in the affirmative, and the first motion being postponed, and the second taken into consideration and amended, on the question to agree to the motion as amended; the yeas and nays being required by Mr. Yates,

<i>New-Hampshire,</i>	Mr. Gilman,	ay	} ay
	Mr. Wingate,	ay	
<i>Massachusetts,</i>	Mr. Dane,	ay	} ay
	Mr. Otis,	ay	
<i>Rhode-Island,</i>	Mr. Arnold,	ay	} *
<i>Connecticut,</i>	Mr. Huntington,	ay	
<i>New-York,</i>	Mr. L'Hommedieu,	ay	} divided.
	Mr. Yates,	no	
<i>New-Jersey,</i>	Mr. Clarke,	ay	} ay
	Mr. Elmer,	ay	
	Mr. Dayton,	ay	
<i>Pennsylvania,</i>	Mr. Bingham,	ay	} ay
	Mr. Read,	ay	
<i>Maryland,</i>	Mr. Contee,	ay	} *
<i>Virginia,</i>	Mr. Griffin,	ay	
	Mr. Carrington,	ay	
<i>North-Carolina,</i>	Mr. Williamson,	ay	} ay
	Mr. Swann,	ay	
<i>South-Carolina,</i>	Mr. Huger,	ay	} ay
	Mr. Parker,	ay	
	Mr. Tucker,	ay	
<i>Georgia,</i>	Mr. Few,	ay	} ay
	Mr. Baldwin,	ay	

So it passed in the affirmative, as follows:

Whereas application has been lately made to Congress, by the legislature of Virginia and the district of Kentucky, for the admission of the said district into the federal union, as a separate member thereof, on the terms contained in the acts of the said legislature, and in the resolutions of the said district relative to the premises. And whereas Congress, having fully considered the subject, did, on the third day of June last, resolve that it is expedient that the said district be erected into a sovereign and independent state, and a separate member of the federal union; and appointed a committee to report an act accordingly, which committee, on the second instant, was discharged, it appearing that nine states had adopted the constitution of the United States, lately submitted to conventions of the people. And whereas a new confederacy is formed among the ratifying states, and there is reason to believe that the state of Virginia, including the said district, did, on the 25th of June last, become a member of the said confederacy: And whereas an act of Congress, in the present state of the government of the country, severing a part of the said state from the other parts thereof, and admitting it into the confederacy formed by the articles of confederation and perpetual union, as an independent member thereof, may be attended with many inconveniencies, while it can have no effect to make the said district a separate member of the federal union formed by the adoption of the said constitution, and therefore it must be manifestly improper for Congress assembled, under the articles of confederation, to adopt any other measures relative to the premises than those which express their sense, that the said district ought to be an independent member of the union, as soon as circumstances shall permit proper measures to be adopted for that purpose.

*Resolved*, That a copy of the proceedings of Congress, relative to the independency of the district of Kentucky, be transmitted to the legislature of Virginia, and also to Samuel M'Dowell, Esq; late president of the said convention; and that the said legislature, and the inhabitants of the district aforesaid be informed, that, as the constitution of the United States is now ratified, Congress think it unadvisable to adopt any further measures for admitting the district of Kentucky into the federal union, as an independent member thereof, under the articles of confederation and perpetual union; but that Congress, thinking it expedient that the said district be made a separate state, and member of the union, as soon after proceedings shall commence, under the said constitution, as circumstances shall permit, recommend it to the said legislature, and to the inhabitants of the said district, so to alter their acts and resolutions, relative to the premises, as to render them conformable to the provisions made in the said constitution, to the end, that no impediment may be in the way of the speedy accomplishment of this important business.

On the report of a committee, consisting of Mr. Baldwin, Mr. Dane, Mr. Dayton, Mr. Kearny and Mr. Gilman,

*Resolved*, That the post-master-general be, and he hereby is authorized and instructed to enter into contracts, with sufficient security, for the conveyance of the mails for one year, commencing on the first day of January next, from Portland, in Massachusetts, to the state of Georgia, by stage-carriages, or horses, as he may judge most expedient and beneficial, provided that preference is given to the transportation by stages, to encourage that useful institution, when it can be done without material injury to the public; and that the mail be conveyed three times each week, from the first of May to the first of November, and twice a week, from the first of November to the first of May, from Portland, in Massachusetts, to Suffolk, in Virginia, and from Suffolk to the state of Georgia, agreeably to the resolution of the 15th of October, 1787; the same to be done by four or more separate contracts.

In case of only four contracts, the first shall extend from Portland to New-York; the second from New-York to Philadelphia; the third from Philadelphia to Suffolk, in Virginia; and the fourth from Suffolk to the state of Georgia, by such route as the post-master-general may find most convenient and proper.

*Resolved*, That the post-master-general be, and he hereby is authorized and instructed to make arrangements for the transportation of the mail for one year, from the 1st day of January next, on the cross-roads mentioned in the resolves of Congress, passed the 4th September, 1786, and the 27th July, 1787, on the principles provided in the resolution of the 15th February, 1787.

*Resolved*, That the post-master-general be, and he hereby is directed to employ posts for the regular transportation of the mail for one year, from the 1st of January next, between the city of Philadelphia and the town of Pittsburgh, in the state of Pennsylvania, by the route of Lancaster, York-town, Carlisle, Chambers-town and Bedford; and between Portland and Pownalborough, in the state of Massachusetts, and that the mail be dispatched once in each fortnight from the post offices respectively.

*Resolved*, That the stated committee of the post-office, appointed in



purfuance of the resolution of the 17th June, 1782, be instructed to superintend the execution of the preceding resolves, and to report specially thereon to Congress.

When the foregoing act was under debate, a motion was made by the delegates of Georgia, to add in the last resolve but one, after the word Massachusetts, the words "and from Savannah to Augusta, in Georgia:" And on the question to agree to this addition, the yeas and nays being required by Mr. Few,

<i>New-Hampshire,</i>	Mr. <i>Gilman,</i>	<i>no</i>	}	<i>no</i>
	Mr. <i>Wingate,</i>	<i>no</i>		
<i>Massachusetts,</i>	Mr. <i>Dane,</i>	<i>no</i>	}	<i>divided.</i>
	Mr. <i>Otis,</i>	<i>ay</i>		
<i>Rhode-Island,</i>	Mr. <i>Arnold,</i>	<i>no</i>	}	<i>no</i>
	Mr. <i>Hazard,</i>	<i>no</i>		
<i>Connecticut,</i>	Mr. <i>Huntington,</i>	<i>no</i>	}	<i>*</i>
<i>New-York,</i>	Mr. <i>L'Hommedieu,</i>	<i>ay</i>		
	Mr. <i>Yates,</i>	<i>no</i>	}	<i>divided.</i>
<i>New-Jersey,</i>	Mr. <i>Elmer,</i>	<i>no</i>		
<i>Pennsylvania,</i>	Mr. <i>Bingham,</i>	<i>ay</i>	}	<i>ay</i>
	Mr. <i>Read,</i>	<i>ay</i>		
<i>Maryland,</i>	Mr. <i>Contee,</i>	<i>ay</i>	}	<i>*</i>
<i>Virginia,</i>	Mr. <i>Griffin,</i>	<i>ay</i>		
	Mr. <i>Carrington,</i>	<i>ay</i>	}	<i>ay</i>
<i>North-Carolina,</i>	Mr. <i>Williamson,</i>	<i>no</i>		
	Mr. <i>Swann,</i>	<i>ay</i>	}	<i>divided.</i>
<i>South-Carolina,</i>	Mr. <i>Huger,</i>	<i>ay</i>		
	Mr. <i>Tucker,</i>	<i>ay</i>	}	<i>ay</i>
<i>Georgia,</i>	Mr. <i>Few,</i>	<i>ay</i>		
	Mr. <i>Baldwin,</i>	<i>ay</i>	}	<i>ay</i>

So the question was lost.

\*  
MONDAY, July 7, 1788.

Congress assembled: Present, New-Hampshire, Massachusetts, Rhode-Island, New-York, New-Jersey, Pennsylvania, Maryland, Virginia, North-Carolina, South-Carolina and Georgia; and from Connecticut, Mr. Huntington.

According to order, the supplement to the ordinance for ascertaining the mode of disposing of land in the western territory, was taken up for a second reading, and after debate thereon, adjourned.

\*  
TUESDAY, July 8, 1788.

Congress assembled: Present as yesterday.

Congress proceeded in the second reading of the supplement to the ordinance for ascertaining the mode of disposing of lands in the western territory; and the following clause being under debate:

And whereas Congress, on the 13th day of September, 1783, fixed the terms and conditions upon which they would accept a cession of claims to western territory from the state of Virginia; and whereas the said state on the 20th day of October, 1783, agreed to the same terms and conditions, and by her act authorized her delegates in Con-

gress to convey, transfer, and assign to the United States, the right, title and claim of the said state to the lands within her charter, and north-west of the river Ohio, on the said terms and conditions proposed by Congress: And the said delegates made a conveyance accordingly, on the said conditions; among which conditions is the following, to wit: "That in case the quantity of good lands on the south-east side of the Ohio, upon the waters of Cumberland river, and between the Green river and Tennessee river, which have been reserved by law, to the Virginia troops upon continental establishment, should, from the North-Carolina line bearing in further upon the Cumberland lands than was expected, prove insufficient for their legal bounties, the deficiency should be made up to the said troops in good lands, to be laid off between the rivers Sciota and Little Miami, on the north-west side of the river Ohio, in such proportions as have been engaged to them by the laws of Virginia." And whereas the said deficiency of lands on the south-east side of the Ohio has not in any manner been ascertained to Congress, nor has it been alleged by the said state, or troops, that there is any deficiency of such lands on the said south-east side of the Ohio, either from the bearing in of the said North-Carolina line further than was expected, or from any other cause; which deficiency ought to be shewn previously to lands being laid off for the said troops, between the said rivers Sciota and Miami.

A motion was made by Mr. Carrington, seconded by Mr. Brown, to strike out the words, "And whereas the said deficiency of lands on the south-east side of the Ohio, &c." to the words "Sciota and Little Miami," inclusive: And on the question, shall those words stand? the yeas and nays being required by Mr. Dane,

<i>New-Hampshire,</i>	Mr. Gilman,	ay	} ay
	Mr. Wingate,	ay	
<i>Massachusetts,</i>	Mr. Dane,	ay	} ay
	Mr. Otis,	ay	
<i>Rhode-Island,</i>	Mr. Arnold,	ay	} ay
	Mr. Hazard,	ay	
<i>Connecticut,</i>	Mr. Huntington,	ay	} *
<i>New-York,</i>	Mr. L'Hommedieu,	ay	
<i>New-Jersey,</i>	Mr. Yates,	ay	} ay
	Mr. Clarke,	ay	
	Mr. Elmer,	ay	
<i>Pennsylvania,</i>	Mr. Dayton,	ay	} ay
	Mr. Bingham,	ay	
<i>Maryland,</i>	Mr. Read,	no	} divided.
	Mr. Howard,	no	
<i>Virginia,</i>	Mr. Contee,	no	} no
	Mr. Griffin,	no	
	Mr. Carrington,	no	
<i>North-Carolina,</i>	Mr. Brown,	no	} no
	Mr. Williamson,	ay	
<i>South-Carolina,</i>	Mr. Swann,	ay	} ay
	Mr. Parker,	no	
<i>Georgia,</i>	Mr. Tucker,	no	} no
	Mr. Few,	ay	
	Mr. Baldwin,	no	} divided.

So the question was lost, and the words were struck out.

A motion was then made by Mr. Dane, seconded by Mr. Clarke, in lieu of the words struck out, to insert,

*Be it further ordained,* That no surveys made, or which shall be made by or on account of the said Virginia troops, on the north-west side of the Ohio, between the said rivers Sciota and Little Miami, before the said deficiency of lands on the south-east side of the Ohio shall be ascertained, and due notice thereof given, shall by Congress be deemed valid :

And on the question to agree to this, the yeas and nays being required by Mr. Dayton,

<i>New-Hampshire,</i>	Mr. Gilman,	ay	}	ay
	Mr. Wingate,	ay		
<i>Massachusetts,</i>	Mr. Dane,	ay	}	ay
	Mr. Otis,	ay		
<i>Rhode-Island,</i>	Mr. Arnold,	ay	}	ay
	Mr. Hazard,	ay		
<i>Connecticut,</i>	Mr. Huntington,	ay	}	*
<i>New-York,</i>	Mr. <del>L'Honnelleu,</del>	ay		
	Mr. Yates,	ay	}	ay
<i>New-Jersey,</i>	Mr. Clarke,	ay		
	Mr. Elmer,	ay	}	ay
	Mr. Dayton,	ay		
<i>Pennsylvania,</i>	Mr. Bingham,	ay	}	divided.
	Mr. Read,	no		
<i>Maryland,</i>	Mr. Howard,	no	}	no
	Mr. Contee,	no		
<i>Virginia,</i>	Mr. Griffin,	no	}	no
	Mr. Carrington,	no		
	Mr. Brown,	no		
<i>North-Carolina,</i>	Mr. Williamson,	ay	}	ay
	Mr. Swann,	ay		
<i>South-Carolina,</i>	Mr. Parker,	no	}	no
	Mr. Tucker,	no		
<i>Georgia,</i>	Mr. Few,	ay	}	divided.
	Mr. Baldwin,	no		

So the question was lost.

WEDNESDAY, July 9, 1788.

Congress assembled : Present as before.

According to the order of the 9th of June, the board of treasury transmitted to Congress an estimate of the sums necessary for the services of the year 1788, including the interest on the foreign and domestic debt, and the amount of the capital of the foreign which will become due in the year 1789.

*Ordered,* That this estimate be referred to a committee of five.

Congress proceeded in the second reading of the supplement to the ordinance for disposing of lands in the western territory, and the second reading being gone through,

*Ordered,* That it be read a third time.

The supplement was accordingly read a third time, and passed as follows :

*A Supplement to an Ordinance entitled "An Ordinance for ascertaining the mode of disposing of Lands in the Western Territory."*

WHEREAS it is found to be inconvenient to execute that part of the land-ordinance, passed May 20, 1785, which directs that certain proportions of lands be allotted to the several states, to be sold by the loan-officers in each state. And whereas a sufficient quantity of lands, for satisfying the bounties due to the late army, was set apart by the act of Congress, passed the 22d of October last, whereby further drafts for satisfying military bounties in lands from the townships lately surveyed, are become unnecessary :

*Be it ordained by the United States in Congress assembled, That so much of the said ordinance, passed May 20, 1785, as ordains that certain parts of the townships therein directed to be surveyed, shall be drawn for in the name of the thirteen states respectively, according to the quotas in the last preceding requisitions, in all the states, in order that the same be sold by the said loan-officers ; and also that the secretary at war shall take by lot from the townships when surveyed, certain proportions of land for the use of the late army, so far as the same may respect future drafts, be, and the same are hereby repealed.*

*Be it further ordained, That the board of treasury be, and they hereby are authorized and directed to sell those parts of the seven ranges of townships surveyed in the western territory, which are not already sold or drawn for the use of the late army, in the same manner, on the same conditions, and under the same restrictions and limitations as were prescribed in the resolutions of Congress of April 21, 1787, except as to the place of sale, and the daily continuance thereof, which may be so far varied, that the said board may commence the sales at New-York or Philadelphia, and adjourn the same, from time to time, to any part or parts of the United States which they may judge most proper for the purpose.*

*Be it further ordained, That the secretary at war issue warrants, for bounties of land to the several officers and soldiers of the late continental army, who may be entitled to such bounties, or to their respective assigns or legal representatives, certifying therein the rank or station of each officer, and the line, regiment, corps and company in which the officer or soldier served.*

*Be it further ordained, That the geographer, by warrant under his hand and seal, appoint one surveyor to each of the two tracts or districts of land set apart for satisfying the said bounties by the act of Congress of the 22d of October last ; and that the persons entitled to lands by virtue of warrants issued as aforesaid, shall be at liberty to locate them on any part of the two tracts of lands set apart as aforesaid ; provided that each location and survey shall be bounded on one side by one of the external boundaries of one of the tracts aforesaid, or by some prior survey therein ; and the external lines of each survey shall run east and west, north and south, such parts thereof excepted as may border upon a river bounding the district, and the several surveys shall be in squares, unless where restrained by such river, or by the lines of for-*

mer surveys; and provided also, that in every location there shall be a combination of as many warrants as shall make the same at least six miles square, and no interstices shall be left between surveys less than six miles wide.

*Be it further ordained,* That each surveyor, upon making any survey, shall protract and lay the same down in a general map to be kept and preserved, and shall make a record of each survey in a book to be kept for that purpose, and make out and deliver a copy of the survey, certified under his hand, to the proprietor or proprietors thereof; and the surveyor shall retain in his hands all warrants by him laid out and located, until he can transmit the same to the board of treasury, which he shall do within one year after laying out the land, certifying thereon, under his hand, that the same is satisfied. That the surveyors to be appointed as herein before directed, shall be entitled to receive for the services enjoined them by this ordinance, so much only as shall be allowed and fixed by the governor and judges of the western territory, and shall be liable to be displaced by the geographer for neglect of duty, or other misbehaviour; in which case he shall supply any vacancy, so happening, by a new appointment. That each surveyor who may be appointed under this ordinance, before he enters upon the duties of his office, shall take an oath or affirmation, that he will justly and truly execute the trust reposed in him as surveyor of a district of land in the western territory, according to the best of his skill and understanding, without favor or partiality: which oath or affirmation shall be taken before the governor or either of the judges of the western territory, or one of the justices of the supreme court in any of the United States, and being duly attested, shall be transmitted to the secretary of Congress, to be by him filed of record. That the maps and records before-mentioned, shall, at all times, be subject to the orders of Congress, to be removed or deposited wherever they shall direct. That if any officer or soldier, or assignee or grantee of either, shall desire to have their bounty of land allotted in the townships or fractional parts thereof, lately drawn for the army, by the secretary at war, out of the first four ranges of townships surveyed, west of the Ohio, and shall cause such his desire in writing, together with his land-warrant, to be deposited in the office of the secretary at war, before the first of July, 1789: the said secretary shall cause so much of the said townships which have been drawn for the army, to be drawn for by lot, as will satisfy the warrants so deposited, for which surveys shall be made out and delivered to the several proprietors, signed by the geographer of the United States, which surveys shall be recorded in a book by the geographer, and lodged in the treasury-office. *And whereas* lands are set apart for satisfying military bounties, not only in the said districts and townships, but also within the limits of purchases made by several companies:

*Be it further ordained,* That the persons who have purchased tracts of the federal lands, shall have credit for so much land as the warrants, so issued as aforesaid, and delivered by them to the board of treasury, cover; provided that in no case deductions, on account of military bounties, shall exceed one-seventh part of the purchase.

Done, &c.

THURSDAY, July 10, 1788.

Congress assembled: Present, New-Hampshire, Massachusetts, Connecticut, New-York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina and Georgia.

FRIDAY, July 11, 1788.

Congress assembled: Present, New-Hampshire, Massachusetts, Rhode-Island, Connecticut, New-York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina and Georgia.

MONDAY, July 14, 1788.

Congress assembled: Present, New-Hampshire, Massachusetts, Connecticut, New-York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina and Georgia; and from Rhode-Island, Mr. Arnold.

Mr. Egbert Benson, a delegate for New-York, attended, and took his seat.

The committee, consisting of Mr. Carrington, Mr. Edwards, Mr. Baldwin, Mr. Otis and Mr. Tucker, to whom were referred the acts of the several states, ratifying the constitution, which have been transmitted to Congress, having reported an act for putting the said constitution into operation, and the following clause in the act being under debate, viz. "That the first Wednesday in December next, be the day for appointing electors in the several states, which have or shall, before the said day, have ratified the said constitution." A motion was made by Mr. Edwards, seconded by Mr. Dane, to postpone that clause, in order to take up the following: "That the fourth Wednesday in December next, be the day for appointing electors in the several states of New-Hampshire, Connecticut, New-Jersey, Delaware, Maryland and South-Carolina; and that the same day be the day for appointing electors in the state of Rhode-Island, provided the said state shall, before that day, have ratified the said constitution; and that the third Wednesday in said December, be the day for appointing electors in the states of Massachusetts, Pennsylvania and Georgia, and that the same day be the day for appointing electors in the state of New-York, provided that state shall, before that day, have ratified the said constitution; and that the first Wednesday in said December, be the day for appointing electors in the state of Virginia; and that the same be the day for appointing electors in North-Carolina, provided the said state shall, before that day, have ratified said constitution."

On the question to postpone for the purpose above-mentioned, the yeas and nays being required by Mr. Kearny,

<i>New-Hampshire,</i>	Mr. Gilman,	no	} no
	Mr. Wingate,	no	
<i>Massachusetts,</i>	Mr. Dane,	ay	} divided
	Mr. Otis,	no	
<i>Connecticut,</i>	Mr. Huntington,	ay	} ay
	Mr. Wadsworth,	ay	
	Mr. Edwards,	ay	

New-York,	Mr. L'Hommedieu,	ay	}	ay
	Mr. Benson,	ay		
	Mr. Yates,	no		
New-Jersey,	Mr. Clarke,	no	}	no
	Mr. Elmer,	no		
Pennsylvania,	Mr. Irwine,	no	}	no
	Mr. Bingham,	ay		
	Mr. Read,	no		
Delaware,	Mr. Kearny,	no	}	no
	Mr. Mitchell,	no		
Maryland,	Mr. Howard,	no	}	no
	Mr. Seney,	no		
	Mr. Contee,	no		
Virginia,	Mr. Griffin,	no	}	no
	Mr. Carrington,	no		
North-Carolina,	Mr. Swann,	no	}	*
South-Carolina,	Mr. Huger,	no		
	Mr. Tucker,	no	}	no
Georgia,	Mr. Few,	ay		
	Mr. Baldwin,	ay	}	ay

So it passed in the negative.

TUESDAY, July 15, 1788.

Congress assembled: Present as yesterday.

The committee, consisting of Mr. Clarke, Mr. Dane, Mr. Williamson, Mr. Carrington and Mr. Wingate, to whom was re-committed their report on a motion of the delegates of Georgia, and an act of the legislature of that state, passed February 1st, 1788, for ceding a part of the territorial claims of the said state to the United States, having reported,

“ That the said state, by the act aforesaid, has authorized her delegates in Congress, to convey to the United States, the territorial claim of the said state, to a certain tract of country bounded as follows, to wit: Beginning at the middle of the river Catahouche, or Apalachicola, where it is intersected by the 31st degree of north latitude, and from thence due north 140 British statute miles; thence due west to the middle of the river Mississippi; thence down the said river to where it intersects the 31st degree of north latitude; and thence along the said degree to the place of beginning, annexing the provisos and conditions following, to wit: 1st, That the United States in Congress assembled, shall guarantee to the citizens of the said territory, a republican form of government, subject only to such change as may take place in the federal constitution of the United States. 2dly, That the navigation of all the waters included in the said cession shall be equally free to all the citizens of the United States, nor shall any tonnage on vessels, or any duties whatever, be laid on any goods, wares or merchandize that may pass up or down the said waters, unless for the use and benefit of the United States. 3dly, That the sum of 171,428  $\frac{4}{9}$  dollars, which has been expended in quieting the minds of the Indians and resisting their hostilities, shall be allowed as a charge against the United States, and be admitted in payment of

the specie requisition of that state's quotas that have been or may be required by the United States. 4thly, That in all cases where the state may require defence, the expenses arising thereon shall be allowed as a charge against the United States, agreeably to the articles of confederation: And 5thly, That Congress shall guarantee and secure all the remaining territorial rights of the state, as pointed out and expressed by the definitive treaty of peace between the United States and Great-Britain, the convention between the said state and the state of South-Carolina, entered into the 28th day of April, 1787, and the clause of an act of the said state of Georgia, describing the boundaries thereof, passed the 17th of February, 1783.

The committee having fully considered the subject referred to them, are of opinion, that the cession offered by the state of Georgia cannot be accepted on the terms proposed. 1st, Because it appears highly probable that on running the boundary line between that state and the adjoining state or states, a claim to a large tract of country extending to the Mississippi, and lying between the tract proposed to be ceded and that lately ceded by South-Carolina, will be retained by the said state of Georgia, and therefore the land which the state now offers to cede, must be too far removed from any other lands hitherto ceded to the union to be of any immediate advantage to it. 2d, Because there appears to be due from the state of Georgia, on specie requisitions, but a small part of the sum mentioned in the third proviso or condition before recited, and it is improper in this case to allow a charge against the specie requisitions of Congress which may hereafter be made, especially as the said state stands charged to the United States for very considerable sums of money loaned: And 3d, Because the fifth proviso or condition before recited, contains a special guarantee of territorial rights, and such a guarantee as has not been made by Congress to any state, and which considering the spirit and meaning of the confederation, must be unnecessary or improper. But the committee are of the opinion, that the first, second and fourth provisos before recited, and also the third, with some variations, may be admitted; and that, should the said state extend the bounds of her cession, and vary the terms thereof as hereinafter-mentioned, Congress may accept the same; whereupon they submit the following resolutions:

That the cession of claims to western territory, offered by the state of Georgia, cannot be accepted on the terms contained in her act passed the first of February last.

That in case the said state shall authorize her delegates in Congress, to make a cession of all her territorial claims to lands west of the river Apalachicola, or west of a meridian line running through or near the point where that river intersects the 31st degree of north latitude, and shall omit the last proviso in her said act, and shall so far vary the proviso respecting the sum of  $171,428\frac{5}{8}$  dollars, expended in quieting and resisting the Indians, as that the said state shall have credit in the specie requisitions of Congress to the amount of her specie quotas on the past requisitions, and for the residue in her account with the United States for monies loaned, Congress will accept the cession."

*Resolved*, That Congress agree to the said report.

On motion of the delegates for Georgia:



Whereas it is represented to Congress, by the delegates of the state of Georgia, that the principal parts of the frontiers of that state have been for several years past invaded and kept in a state of alarm by the Creek Indians: that the fighting men of that nation, supposed to amount to not less than 6000, have been so far instigated by refugees and fugitive traders, who had formerly escaped from these states and taken refuge among them, as to keep up constant and bloody incursions on the different parts of that frontier, and that the settlements of four of the exterior counties are almost entirely broken up,

*Resolved*, That the superintendant and commissioners for the southern-department be instructed, if they shall find it necessary, to notify to the said Indians, that should they persist in refusing to enter into a treaty upon reasonable terms, the arms of the United States shall be called forth for the protection of that frontier.

*Ordered*, That the secretary at war report to Congress a plan for carrying into effect the purposes specified in the preceding resolve, as nearly as may be, upon the principles of the resolution of the 21st of July last, for the protection of the frontiers of Pennsylvania and Virginia.

WEDNESDAY, July 16, 1788.

Congress assembled: Present, New-Hampshire, Massachusetts, Rhode-Island, Connecticut, New-York, New-Jersey, Delaware, Maryland, Virginia, North-Carolina and South-Carolina; and from Pennsylvania, Mr. Irwine, and from Georgia, Mr. Baldwin.

On a report of a committee, consisting of Mr. Baldwin, Mr. Huntington and Mr. Williamson, to whom was referred a memorial of John Pierce,

*Resolved*, That the board of treasury be, any they are hereby directed, to credit John Pierce to the amount of 100 dollars per month, as commissioner of army accounts, from the time he entered on the duties of that office, in 1783, to the end of the year 1785.

On the question to agree to this resolution, the yeas and nays being required by Mr. Wingate,

<i>New-Hampshire,</i>	Mr. Gilman,	ay	} divided.
	Mr. Wingate,	no	
<i>Massachusetts,</i>	Mr. Dane,	ay	} ay
	Mr. Otis,	ay	
<i>Rhode-Island,</i>	Mr. Arnold,	no	} no
	Mr. Hazard,	no	
<i>Connecticut,</i>	Mr. Huntington,	ay	} ay
	Mr. Wadsworth,	ay	
	Mr. Edwards,	ay	
<i>New-York,</i>	Mr. L'Hommedieu,	ay	} ay
	Mr. Benson,	ay	
<i>New-Jersey,</i>	Mr. Yates,	no	} ay
	Mr. Clarke,	ay	
	Mr. Elmer,	no	
	Mr. Dayton,	ay	
<i>Pennsylvania,</i>	Mr. Irwine,	ay	> *

Delaware,	Mr. Kearny,	ay	}	ay
	Mr. Mitchell,	ay		
Maryland,	Mr. Seney,	ay	}	ay
	Mr. Contee,	ay		
Virginia,	Mr. Ross,	ay	}	ay
	Mr. Griffin,	ay		
North-Carolina,	Mr. Carrington,	ay	}	ay
	Mr. Williamson,	ay		
South-Carolina,	Mr. Swann,	ay	}	ay
	Mr. Huger,	ay		
Georgia,	Mr. Tucker,	ay	}	ay
	Mr. Baldwin,	ay		

So it passed in the affirmative.

THURSDAY, July 17, 1788.

Congress assembled: Present the thirteen states.

On the report of a committee, consisting of Mr. Williamson, Mr. Dane and Mr. Carrington, to whom was referred a motion of Mr. Williamson,

*Resolved*, That the geographer be, and he is hereby authorized, to appoint such surveyors as he shall think are best qualified to discharge the duties of that office, without any reference to former appointments, to each of whom, as also to the chain-carriers whom they may employ, shall be administered the oath prescribed by the ordinance of May 20, 1785.

That there shall be allowed to each surveyor at the rate of 2 dollars per mile, for every line he shall run on the river Ohio, and 3 dollars per mile, for every other line he shall actually run in executing large surveys, including the wages of chain-carriers, markers, and every other expense, direct or indirect, that may attend the same.

On motion of Mr. Dane, seconded by Mr. Williamson:

Whereas Congress, on the 13th September, 1783, fixed the terms and conditions upon which they would accept a cession of claims to western territory from the state of Virginia: and whereas the said state, on the 20th of October, in the same year, agreed to the same terms and conditions, and by her act, authorized her delegates in Congress, to convey, transfer and assign to the United States, the right, title and claim of the said state, to the lands within her charter, and north-west of the river Ohio, on the terms and conditions proposed by Congress; and the said delegates made a conveyance accordingly, on the same conditions; among which conditions is the following, to wit: "That in case the good lands on the south-east side of the Ohio, upon the waters of Cumberland river, and between the Green river and Tennessee river, which have been reserved by law, to the Virginia troops upon continental establishment, should, from the North-Carolina line, bearing in further upon the Cumberland lands than was expected, prove insufficient for their legal bounties, the deficiency should be made up to the said troops in good lands, to be laid off between the river Sciota and Little Miami, on the north-west side of the river Ohio, in such proportions as have been engaged to them by the laws of Virginia:" And whereas it has not in any manner been alleged or stated

to Congress, that there is any such deficiency of lands on the south-east side of the Ohio,

*Resolved*, That the state of Virginia be informed, that Congress consider all locations and surveys which shall be made by, or on account of the said troops, on the said lands between the Sciota and Little Miami, before the said deficiency, if any, on the south-east side of the Ohio shall be ascertained and stated to Congress, invalid.

On the question to agree to this resolve, the yeas and nays being required by Mr. Clarke,

<i>New-Hampshire,</i>	Mr. Gilman,	ay	} ay
	Mr. Wingate,	ay	
<i>Massachusetts,</i>	Mr. Dane,	ay	} ay
	Mr. Otis,	ay	
<i>Rhode-Island,</i>	Mr. Arnold,	ay	} ay
	Mr. Hazard,	ay	
<i>Connecticut,</i>	Mr. Huntington,	no	} no
	Mr. Wadsworth,	no	
	Mr. Edwards,	no	
<i>New-York,</i>	Mr. L'Hommedieu,	ay	} ay
	Mr. Benson,	ay	
	Mr. Yates,	ay	
<i>New-Jersey,</i>	Mr. Clarke,	ay	} ay
	Mr. Elmer,	ay	
<i>Pennsylvania,</i>	Mr. Irwine,	ay	} ay
	Mr. Bingham,	ay	
<i>Delaware,</i>	Mr. Kearny,	ay	} divided.
	Mr. Mitchell,	no	
<i>Maryland,</i>	Mr. Howard,	no	} divided.
	Mr. Seney,	ay	
	Mr. Contee,	no	
	Mr. Ross,	ay	
<i>Virginia,</i>	Mr. Griffin,	no	} no
	Mr. Madison,	no	
	Mr. Carrington,	no	
<i>North-Carolina,</i>	Mr. Williamson,	ay	} ay
	Mr. Swann,	ay	
<i>South-Carolina,</i>	Mr. Huger,	ay	} divided.
	Mr. Tucker,	no	
<i>Georgia,</i>	Mr. Few,	ay	} divided.
	Mr. Baldwin,	no	

So it passed in the affirmative.

*Resolved*, That the executive of the state of Virginia be requested to inform Congress, whether there has been any deficiency of good lands reserved by the laws of that state, on the south-east side of the Ohio, for the Virginia troops, upon continental establishment; and if there has been any deficiency, what is the amount, and also what checks have been provided by the said state, to prevent the said troops taking up more lands than are actually due to them, in order that measures may immediately be taken, for laying off, for the benefit of such troops, a sufficient quantity of good land between the river Sciota and Little Miami, and that Congress may be prepared to dis-

pose of the remaining land between those rivers, for the general benefit of the union.

FRIDAY, July 18, 1788.

Congress assembled: Present as yesterday.

On the report of a committee, consisting of Mr. Dane, Mr. Tucker and Mr. Otis, to whom was referred a letter from Samuel Nicholson,

*Resolved*, That in consideration of the trouble and expenses incurred by capt. Nicholson, in collecting evidence of the capture and disposition of the prizes taken in Europe in the year 1777, by the continental armed vessels Reprisal, Lexington and Dolphin, and in settling the accounts respecting the same, a commission of two and a half per centum be allowed him on the captors proportion of the said prizes, and deducted therefrom before division; and that the commissioner of accounts for the marine department, settle with him accordingly.

When the foregoing act was under debate, a motion was made by Mr. Seney, seconded by Mr. Carrington, to strike out the latter clause, viz. "And that the commissioner, &c." to the end; and in lieu thereof to insert,

That the share of prizes captured by the ship Reprisal, capt. Weeks, brig Lexington, capt. Johnson, and sloop Dolphin, capt. Nicholson, and delivered into the hands of the continental agent at Nantz, for the use of the United States, by instructions from the secret committee of Congress, be paid to the captors respectively in specie, according to the ascertained value of the said prizes.

And on the question to agree to this amendment, the yeas and nays being required by Mr. Williamson,

<i>New-Hampshire,</i>	Mr. Gilman,	no	}	no
	Mr. Wingate,	no		
<i>Massachusetts,</i>	Mr. Dane,	no	}	no
	Mr. Otis,	no		
<i>Rhode-Island,</i>	Mr. Arnold,	no	}	no
	Mr. Hazard,	no		
<i>Connecticut,</i>	Mr. Huntington,	no	}	no
	Mr. Wadsworth,	ay		
	Mr. Edwards,	no		
<i>New-York,</i>	Mr. L'Hommedieu,	no	}	no
	Mr. Benson,	no		
	Mr. Yates,	no	}	no
<i>New-Jersey,</i>	Mr. Clarke,	no		
	Mr. Elmer,	no	}	no
<i>Pennsylvania,</i>	Mr. Irwine,	no		
	Mr. Bingham,	ay	}	divided.
<i>Delaware,</i>	Mr. Kearny,	no		
	Mr. Mitchell,	no	}	no
<i>Maryland,</i>	Mr. Howard,	no		
	Mr. Seney,	ay	}	no
	Mr. Contee,	no		
	Mr. Ross,	no		

Virginia,	Mr. Griffin,	no	}	no
	Mr. Madison,	no		
	Mr. Carrington,	ay	}	no
North-Carolina,	Mr. Williamson,	no		
	Mr. Swann,	no	}	divided.
South-Carolina,	Mr. Huger,	no		
	Mr. Tucker,	ay	}	divided.
Georgia,	Mr. Few,	ay		
	Mr. Baldwin,	no		

So it passed in the negative.

MONDAY, July 21, 1788.

Congress assembled: Present, New-Hampshire, Massachusetts, Rhode-Island, Connecticut, New-York, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina and Georgia; and from New-Jersey, Mr. Elmer, and from South-Carolina, Mr. Tucker.

TUESDAY, July 22, 1788.

Congress assembled: Present the Thirteen States.

On a report of the board of treasury, to whom was referred a memorial of Joseph Hubly,

*Resolved*, That in the settlement of the account of Joseph Hubly, acting during the war as an assistant deputy-commissary of prisoners, at the post of Lancaster, he be allowed, during the time of such service, the pay and rations of a captain in the army, with the usual allowance of forage-money for one horse.

The committee, consisting of Mr. Read, Mr. Otis, Mr. Edwards, Mr. Williamson and Mr. Clarke, to whom was referred a memorial of Udney Hay, having reported, That on examining the memorial and other papers accompanying the same, they find that Congress, by their resolution of the 10th of May, 1781, did refer the claims of the memorialist to a board of officers, to be considered and determined upon; that the said claims, agreeably to said resolution, were considered and determined upon by a board of nine general-officers, who reported, that Udney Hay, Esq; ought to enjoy the rank and emoluments of a retiring lieutenant-colonel, therefore,

*Resolved*, That Udney Hay be allowed one year's pay of a lieutenant-colonel retiring, according to the act of 24th November, 1778.

THURSDAY, July 24, 1788.

Congress assembled: Present, New-Hampshire, Massachusetts, Rhode-Island, Connecticut, New-York, New-Jersey, Pennsylvania, Maryland, Virginia, North-Carolina, South-Carolina and Georgia.

FRIDAY, July 25, 1788.

Congress assembled: Present, New-Hampshire, Massachusetts, Connecticut, New-York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina and Georgia; and from Rhode-Island, Mr. Arnold.

The committee, consisting of Mr. Clarke, Mr. Edwards and Mr. Irwine, to whom was referred a motion of the delegates of Pennsylva-

nia, in pursuance of instructions from the supreme executive council of the said state, having reported thereon, and the following proposition being under debate, viz. That the secretary at war direct the detachment of troops, marching to the westward, to rendezvous at Easton, in Pennsylvania, and from thence march into the county of Luzerne, for quelling the disturbances in that county, provided the executive council of Pennsylvania shall find the assistance of those troops necessary; provided also, that the said troops shall not be delayed in their march to the Ohio more than two weeks.

The previous question was moved by the state of Virginia, seconded by the state of Massachusetts, that the main question be not now put; and on the question to agree to the previous question, the yeas and nays being required by Mr. Irwine,

<i>New-Hampshire,</i>	Mr. Gilman,	no	}	no
	Mr. Wingate,	no		
<i>Massachusetts,</i>	Mr. Dane,	ay	}	ay
	Mr. Otis,	ay		
<i>Rhode-Island,</i>	Mr. Arnold,	ay	}	*
	Mr. Huntington,	ay		
<i>Connecticut,</i>	Mr. Wadsworth,	ay	}	ay
	Mr. Edwards,	no		
<i>New-York,</i>	Mr. L'Hommedieu,	ay	}	ay
	Mr. Benson,	ay		
<i>New-Jersey,</i>	Mr. Yates,	ay	}	no
	Mr. Clarke,	no		
	Mr. Elmer,	ay	}	no
	Mr. Dayton,	no		
<i>Pennsylvania,</i>	Mr. Irwine,	no	}	no
	Mr. Bingham,	no		
	Mr. Read,	no	}	no
<i>Delaware,</i>	Mr. Kearny,	no		
	Mr. Mitchell,	no	}	no
<i>Maryland,</i>	Mr. Seney,	no		
	Mr. Contee,	ay	}	ay
	Mr. Ross,	ay		
<i>Virginia,</i>	Mr. Griffin,	no	}	ay
	Mr. Madison,	ay		
	Mr. Carrington,	ay	}	ay
<i>North-Carolina,</i>	Mr. Swann,	ay		
<i>South-Carolina,</i>	Mr. Huger,	no	}	divided.
	Mr. Tucker,	ay		
<i>Georgia,</i>	Mr. Few,	no	}	no
	Mr. Baldwin,	no		

So the question was lost.

On the question to agree to the main question, the yeas and nays being required by Mr. Irwine,

<i>New-Hampshire,</i>	Mr. Gilman,	ay	}	ay
	Mr. Wingate,	ay		
<i>Massachusetts,</i>	Mr. Dane,	no	}	no
	Mr. Otis,	no		

Rhode-Island,	Mr. Arnold,	no	}	ay
Connecticut,	Mr. Huntington,	ay		
	Mr. Wadsworth,	no	}	ay
	Mr. Edwards,	ay		
New-York,	Mr. L'Hommedieu,	no	}	no
	Mr. Benson,	no		
	Mr. Yates,	no	}	ay
New-Jersey,	Mr. Clarke,	ay		
	Mr. Elmer,	ay	}	ay
	Mr. Dayton,	ay		
Pennsylvania,	Mr. Irwine,	ay	}	ay
	Mr. Bingham,	ay		
	Mr. Read,	ay	}	ay
Delaware,	Mr. Kearny,	ay		
	Mr. Mitchell,	ay	}	ay
Maryland,	Mr. Seney,	ay		
	Mr. Contee,	ay	}	ay
	Mr. Ross,	no		
Virginia,	Mr. Griffin,	ay	}	ay
	Mr. Madison,	no		
	Mr. Carrington,	ay	}	ay
North-Carolina,	Mr. Swann,	no		
South-Carolina,	Mr. Huger,	ay	}	divided.
	Mr. Tucker,	no		
Georgia,	Mr. Few,	ay	}	ay
	Mr. Baldwin,	ay		

So it was

*Resolved*, That the secretary at war direct the detachment of troops marching to the westward, to rendezvous at Easton, in Pennsylvania, and from thence march into the county of Luzerne, for quelling the disturbances in that county; provided the executive council of Pennsylvania shall find the assistance of those troops necessary; provided also, that the said troops shall not be delayed in their march to the Ohio more than two weeks.

MONDAY, July 28, 1788.

Congress assembled: Present, New-Hampshire, Massachusetts, Connecticut, New-York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina, and Georgia.

The committee, consisting of Mr. Carrington, Mr. Edwards, Mr. Baldwin, Mr. Otis and Mr. Tucker, to whom were referred the acts of the several states which have been transmitted to Congress ratifying the constitution for the United States of America, having reported an act for putting the said constitution into operation; and the following paragraph having been debated and amended to read as follows:

That the first Wednesday in January next, be the day for appointing electors in the several states, which have or shall before the said day have ratified the said constitution; that the first Wednesday in February next, be the day for the electors to assemble in their respective states, and vote for a president; and that the first Wednesday in March next, be the time, and \_\_\_\_\_ the place, for commencing proceedings under the said constitution.

A motion was made by Mr. Edwards, seconded by Mr. Williamson, to fill the blank with "Philadelphia:" And on the question to agree to this amendment, the yeas and nays being required by Mr. Seney,

<i>New-Hampshire,</i>	Mr. Gilman,	ay	}	ay
	Mr. Wingate,	ay		
<i>Massachusetts,</i>	Mr. Dane,	no	}	no
	Mr. Otis,	no		
<i>Connecticut,</i>	Mr. Huntington,	ay	}	ay
	Mr. Wadsworth,	no		
	Mr. Edwards,	ay		
<i>New-York,</i>	Mr. L'Hommedieu,	no	}	no
	Mr. Benson,	no		
	Mr. Yates,	no		
<i>New-Jersey,</i>	Mr. Clarke,	no	}	no
	Mr. Elmer,	ay		
	Mr. Dayton,	no		
<i>Pennsylvania,</i>	Mr. Irwine,	ay	}	ay
	Mr. Bingham,	ay		
	Mr. Armstrong,	ay		
	Mr. Read,	ay	}	divided.
<i>Delaware,</i>	Mr. Kearny,	no		
	Mr. Mitchell,	ay	}	ay
<i>Maryland,</i>	Mr. Seney,	ay		
	Mr. Contee,	ay		
	Mr. Ross,	ay	}	ay
<i>Virginia,</i>	Mr. Griffin,	ay		
	Mr. Madison,	ay	}	ay
	Mr. Carrington,	ay		
<i>North-Carolina,</i>	Mr. Williamson,	ay	}	ay
	Mr. Swann,	ay		
<i>South-Carolina,</i>	Mr. Huger,	no	}	no
	Mr. Tucker,	no		
<i>Georgia,</i>	Mr. Few,	no	}	divided.
	Mr. Baldwin,	ay		

So the question was lost.

On the report of a committee, consisting of Mr. Dane, Mr. Williamson and Mr. Clarke, to whom was referred a report of the board of treasury, on a memorial of Jonathan Trumbull,

*Resolved,* That the board of treasury cause the certificate given to Mr. Jonathan Trumbull, commissioner for settling the accounts of the late commissary-general Trumbull, amounting to 1752 $\frac{53}{90}$  dollars, to be cancelled, and that the said board take order for paying him the amount of the said certificate.

On the report of a committee, consisting of Mr. Few, Mr. Clarke and Mr. Wadsworth, to whom was referred a report of the board of treasury, on a petition of Robert Walton,

*Resolved,* That the board of treasury liquidate the claims of Robert Walton, for 16 horses furnished the southern army, agreeably to the valuation of the said horses, on oath of any two officers of colonel Lee's legion, at the time of delivery, and issue a certificate in his favour for that sum, including interest from the 1st day of February, 1781.



TUESDAY, July 29, 1788.

Congress assembled: Present as yesterday, and from Rhode-Island, Mr. Arnold.

Mr. Meredith, from Pennsylvania, and Mr. H. Lee, from Virginia, attended, and delivered in their credentials.

WEDNESDAY, July 30, 1788.

Congress assembled: Present as yesterday.

The order of the day being called for, and the paragraph which was under debate on Monday, being read, a motion was made by Mr. Dayton, seconded by Mr. Huger, to fill the blank with the words "the city of New-York, in the state of New-York;" thereupon a motion was made by Mr. Lee, seconded by Mr. Clarke, in lieu of this to amend the paragraph, so that the last clause be "and at such place as shall hereafter be appointed by Congress:" And on the question to agree to this amendment of the paragraph, the yeas and nays being required by Mr. Bingham,

<i>New-Hampshire,</i>	Mr. Gilman,	no	} divided.
	Mr. Wingate,	ay	
<i>Massachusetts,</i>	Mr. Dane,	ay	} ay
	Mr. Otis,	ay	
<i>Connecticut,</i>	Mr. Huntington,	no	} no
	Mr. Wadsworth,	ay	
<i>New-York,</i>	Mr. Edwards,	no	} ay
	Mr. L'Hommedieu,	ay	
	Mr. Benson,	ay	
	Mr. Hamilton,	ay	} ay
<i>New-Jersey,</i>	Mr. Yates,	ay	
	Mr. Clarke,	ay	} ay
	Mr. Elmer,	no	
	Mr. Dayton,	ay	
<i>Pennsylvania,</i>	Mr. Irwine,	no	} no
	Mr. Meredith,	no	
	Mr. Armstrong,	no	
	Mr. Bingham,	no	
	Mr. Read,	no	} no
<i>Delaware,</i>	Mr. Kearny,	no	
	Mr. Mitchell,	no	
<i>Maryland,</i>	Mr. Seney,	no	} no
	Mr. Contee,	no	
	Mr. Ross,	no	} no
<i>Virginia,</i>	Mr. Griffin,	no	
	Mr. Madison,	no	
	Mr. Carrington,	no	} no
	Mr. Lee,	ay	
<i>North-Carolina,</i>	Mr. Williamson,	no	} no
	Mr. Swann,	no	
<i>South-Carolina,</i>	Mr. Huger,	ay	} ay
	Mr. Parker,	ay	
	Mr. Tucker,	no	
<i>Georgia,</i>	Mr. Few,	no	} no
	Mr. Baldwin,	no	

So it passed in the negative.

THURSDAY, July 31, 1788.

Congress assembled: Present as before.

Mr. Theodore Sedgwick, a delegate for Massachusetts, attended, and produced his credentials, which were read.

FRIDAY, August 1, 1788.

Congress assembled: Present, New-Hampshire, Massachusetts, Connecticut, New-York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina and Georgia.

On a letter, of this day, from the secretary at war, desiring leave of absence for a few weeks,

*Ordered*, That leave of absence be given him accordingly.

On motion of Mr. Irwine, seconded by Mr. Few:

Whereas the time for which the superintendent of Indian affairs for the northern district was elected, will probably expire during the treaty directed to be held with the Indians north-west of the river Ohio, which may be injurious to the public interest,

*Resolved*, That the superintendent of Indian affairs for the northern district, be continued in service for two months from and after the 14th day of the present month.

MONDAY, August 4, 1788.

Congress assembled: Present the Thirteen States.

On motion of Mr. Few, seconded by Mr. Baldwin,

*Resolved*, That the superintendent of Indian affairs for the southern district, be continued in service three months from the 29th day of the present month.

The order of the day being called, and the motion renewed by Mr. Dayton, seconded by Mr. Ross, to fill the blank with the words city of New-York, in the state of New-York:" A motion was made by Mr. Williamson, seconded by Mr. Seney, to postpone the motion, in order to admit a motion to fill the blank with the word "Lancaster; and on the question to postpone for the purpose above-mentioned, the yeas and nays being required by Mr. Williamson,

<i>New-Hampshire,</i>	Mr. Gilman,	no	} no
	Mr. Wingate,	no	
<i>Massachusetts,</i>	Mr. Sedgwick,	ay	} no
	Mr. Dane,	no	
<i>Rhode-Island,</i>	Mr. Otis,	no	} no
	Mr. Arnold,	no	
<i>Connecticut,</i>	Mr. Hazard,	no	} no
	Mr. Huntington,	no	
<i>New-York,</i>	Mr. Wadsworth,	no	} no
	Mr. Edwards,	ay	
	Mr. L'Hommedieu,	no	
	Mr. Benson,	no	
	Mr. Hamilton,	no	} no
	Mr. Yates,	no	

<i>New-Jersey,</i>	Mr. Clarke,	no	}	no
	Mr. Elmer,	ay		
	Mr. Dayton,	no		
<i>Pennsylvania,</i>	Mr. Irwine,	ay	}	ay
	Mr. Meredith,	ay		
	Mr. Bingham,	ay		
	Mr. Read,	ay		
<i>Delaware,</i>	Mr. Kearny,	ay	}	ay
	Mr. Mitchell,	ay		
<i>Maryland,</i>	Mr. Seney,	ay	}	ay
	Mr. Contee,	ay		
<i>Virginia,</i>	Mr. Ross,	ay	}	ay
	Mr. Griffin,	ay		
	Mr. Madison,	ay		
<i>North-Carolina,</i>	Mr. Carrington,	ay	}	ay
	Mr. Lee,	no		
	Mr. Brown,	ay		
	Mr. Williamson,	ay		
	Mr. Swann,	ay		
<i>South-Carolina,</i>	Mr. Huger,	no	}	na
	Mr. Parker,	no		
	Mr. Tucker,	no		
<i>Georgia,</i>	Mr. Few,	ay	}	ay
	Mr. Baldwin,	ay		

So it passed in the negative.

A motion was then made by Mr. Carrington, seconded by Mr. Seney, to postpone the motion for New-York, in order to admit Baltimore, in the state of Maryland; and on the question to postpone for the purpose above-mentioned, the yeas and nays being required by Mr. Seney,

<i>New-Hampshire,</i>	Mr. Gilman,	no	}	no
	Mr. Wingate,	no		
<i>Massachusetts,</i>	Mr. Sedgwick,	no	}	no
	Mr. Dane,	no		
	Mr. Otis,	no		
<i>Rhode-Island,</i>	Mr. Hazard,	no	}	no
	Mr. Arnold,	no		
<i>Connecticut,</i>	Mr. Huntington,	no	}	no
	Mr. Wadsworth,	no		
	Mr. Edwards,	no		
<i>New-York,</i>	Mr. L'Hommedieu,	no	}	no
	Mr. Benson,	no		
	Mr. Hamilton,	no		
<i>New-Jersey,</i>	Mr. Yates,	no	}	no
	Mr. Clarke,	no		
	Mr. Elmer,	no		
<i>Pennsylvania,</i>	Mr. Dayton,	no	}	ay
	Mr. Irwine,	ay		
	Mr. Meredith,	ay		
	Mr. Armstrong,	no		
	Mr. Bingham,	ay		
	Mr. Read,	ay		

<i>Delaware,</i>	Mr. Kearny,	ay	}	ay
	Mr. Mitchell,	ay		
<i>Maryland,</i>	Mr. Seney,	ay	}	ay
	Mr. Contee,	ay		
<i>Virginia,</i>	Mr. Ross,	ay	}	ay
	Mr. Griffin,	ay		
	Mr. Madison,	ay	}	ay
	Mr. Carrington,	ay		
	Mr. Lee,	ay	}	ay
	Mr. Brown,	ay		
<i>North-Carolina,</i>	Mr. Williamson,	ay	}	ay
	Mr. Swann,	ay		
<i>South-Carolina,</i>	Mr. Huger,	ay	}	ay
	Mr. Parker,	ay		
	Mr. Tucker,	ay	}	ay
<i>Georgia,</i>	Mr. Few,	ay		
	Mr. Baldwin,	ay	}	ay

So it passed in the affirmative.

On the question to fill the blank with the words "the town of Baltimore, in the state of Maryland," the yeas and nays being required by Mr. Carrington,

<i>New-Hampshire,</i>	Mr. Gilman,	no	}	no
	Mr. Wingate,	no		
<i>Massachusetts,</i>	Mr. Sedgwick,	no	}	no
	Mr. Dane,	no		
	Mr. Otis,	no	}	no
<i>Rhode-Island,</i>	Mr. Hazard,	no		
	Mr. Arnold,	no	}	no
<i>Connecticut,</i>	Mr. Huntington,	no		
	Mr. Wadsworth,	no	}	no
	Mr. Edwards,	no		
<i>New-York,</i>	Mr. L'Hommedieu,	no	}	no
	Mr. Benson,	no		
	Mr. Hamilton,	no	}	no
	Mr. Yates,	no		
<i>New-Jersey,</i>	Mr. Clarke,	no	}	no
	Mr. Elmer,	no		
	Mr. Dayton,	no	}	ay
<i>Pennsylvania,</i>	Mr. Irwine,	ay		
	Mr. Meredith,	ay	}	ay
	Mr. Armstrong,	no		
	Mr. Bingham,	ay	}	ay
	Mr. Read,	ay		
<i>Delaware,</i>	Mr. Kearny,	ay	}	ay
	Mr. Mitchell,	ay		
<i>Maryland,</i>	Mr. Seney,	ay	}	ay
	Mr. Contee,	ay		
	Mr. Ross,	ay	}	ay

<i>Virginia,</i>	Mr. Griffin,	ay	} ay
	Mr. Madison,	ay	
	Mr. Carrington,	ay	
	Mr. Lee,	ay	
	Mr. Brown,	ay	
<i>North-Carolina,</i>	Mr. Williamson,	ay	} ay
	Mr. Swann,	ay	
<i>South-Carolina,</i>	Mr. Huger,	ay	} ay
	Mr. Parker,	ay	
	Mr. Tucker,	ay	
<i>Georgia,</i>	Mr. Few,	ay	} ay
	Mr. Baldwin,	ay	

So it was resolved in the affirmative.

The preamble reported by the committee was then taken into consideration, which is in the words following: "Whereas the convention assembled in Philadelphia, pursuant to the resolution of Congress of the 21st of February, 1787, did, on the 17th of September, in the same year, report to the United States in Congress assembled, in the words following, viz. "We the people, &c. [here to be inserted the constitution and resolutions, as entered on the journal of last year, September, 28, 1787;] whereupon Congress, on the 28th of the same September, did resolve unanimously, "That the said report, with the resolutions and letter accompanying the same, be transmitted to the several legislatures, in order to be submitted to a convention of delegates chosen in each state, by the people thereof, in conformity to the resolves of the convention made and provided in that case." And whereas the states of New-Hampshire, Massachusetts, Connecticut, New-York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia, South-Carolina and Georgia, have duly ratified the aforesaid constitution, as appears by the several acts of the said states returned to Congress, and filed in the office of the secretary, and it is expedient that proceedings do commence thereon as early as may be, therefore," &c.

A motion was made by Mr. Tucker, seconded by Mr. Huger, to postpone the said preamble, in order to take up the following, viz. Whereas the constitution proposed by the late general convention held in the city of Philadelphia, has been ratified in the manner therein declared to be sufficient for the establishment of the same; and whereas the ratifications of the several states are to be considered as containing virtual authority and instructions to their delegates in Congress, to make the preparatory arrangements recommended by the said convention to be made by Congress, therefore *Resolved*, and on the question to postpone for the purpose above-mentioned, the yeas and nays being required by Mr. Tucker,

<i>New-Hampshire,</i>	Mr. Gilman,	ay	} ay
	Mr. Wingate,	ay	
<i>Massachusetts,</i>	Mr. Sedgwick,	no	} no
	Mr. Dane,	ay	
	Mr. Otis,	no	
<i>Rhode-Island,</i>	Mr. Arnold,	ay	} *

<i>Connecticut,</i>	Mr. <i>Huntington,</i>	<i>ay</i>	} <i>ay</i>
	Mr. <i>Wadsworth,</i>	<i>ay</i>	
	Mr. <i>Edwards,</i>	<i>no</i>	
<i>New-York,</i>	Mr. <i>L'Hommedieu,</i>	<i>no</i>	} <i>no</i>
	Mr. <i>Benson,</i>	<i>no</i>	
	Mr. <i>Hamilton,</i>	<i>no</i>	
<i>New-Jersey,</i>	Mr. <i>Yates,</i>	<i>ay</i>	} <i>ay</i>
	Mr. <i>Clarke,</i>	<i>ay</i>	
	Mr. <i>Elmer,</i>	<i>ay</i>	
<i>Pennsylvania,</i>	Mr. <i>Dayton,</i>	<i>no</i>	} <i>ay</i>
	Mr. <i>Irwine,</i>	<i>ay</i>	
	Mr. <i>Meredith,</i>	<i>ay</i>	
	Mr. <i>Armstrong,</i>	<i>ay</i>	
	Mr. <i>Bingham,</i>	<i>no</i>	
<i>Delaware,</i>	Mr. <i>Read,</i>	<i>ay</i>	} <i>ay</i>
	Mr. <i>Kearny,</i>	<i>ay</i>	
	Mr. <i>Mitchell,</i>	<i>ay</i>	
<i>Maryland,</i>	Mr. <i>Seney,</i>	<i>no</i>	} <i>ay</i>
	Mr. <i>Contee,</i>	<i>ay</i>	
	Mr. <i>Ross,</i>	<i>ay</i>	
<i>Virginia,</i>	Mr. <i>Griffin,</i>	<i>ay</i>	} <i>ay</i>
	Mr. <i>Madison,</i>	<i>ay</i>	
	Mr. <i>Carrington,</i>	<i>ay</i>	
	Mr. <i>Lee,</i>	<i>ay</i>	
	Mr. <i>Brown,</i>	<i>ay</i>	
<i>North-Carolina,</i>	Mr. <i>Williamson,</i>	<i>no</i>	} <i>divided.</i>
	Mr. <i>Swann,</i>	<i>ay</i>	
<i>South-Carolina,</i>	Mr. <i>Huger,</i>	<i>ay</i>	} <i>ay</i>
	Mr. <i>Parker,</i>	<i>ay</i>	
	Mr. <i>Tucker,</i>	<i>ay</i>	
<i>Georgia,</i>	Mr. <i>Few,</i>	<i>ay</i>	} <i>ay</i>
	Mr. <i>Baldwin,</i>	<i>ay</i>	

So it was resolved in the affirmative.

—❖—

TUESDAY, August 5, 1788.

Congress assembled: Present as yesterday.

A letter of the 4th, from the board of treasury, was read, informing Congress of the death of Mr. Pierce, late commissioner of army accounts, and pay-master-general:

On motion of Mr. Clarke, seconded by Mr. Dayton,

Ordered, That Thursday next be assigned for electing a commissioner of army accounts.

The order of the day being called, the preamble moved by Mr. Tucker, seconded by Mr. Huger, was read in the words following: "Whereas the constitution proposed by the late general convention held in the city of Philadelphia, has been ratified in the manner therein declared to be sufficient for the establishment of the same; and whereas the ratifications of the several states are to be considered as containing virtual authority and instructions to their delegates in Congress, to make the preparatory arrangements recommended by the said convention to be made by Congress; therefore,"

A motion was made by the delegates of North-Carolina, to amend this proposed preamble, by striking out the words "and instructions to their delegates in Congress," and in lieu thereof to insert "to the United States in Congress assembled." A motion was thereupon made by Mr. Dane, seconded by Mr. Benson, to postpone both the proposed preamble and the amendment; and on the question to postpone, the yeas and nays being required by Mr. Williamson,

<i>New-Hampshire,</i>	Mr. Gilman,	ay	} ay
	Mr. Wingate,	ay	
<i>Massachusetts,</i>	Mr. Sedgwick,	ay	} ay
	Mr. Dane,	ay	
	Mr. Otis,	ay	
<i>Rhode-Island,</i>	Mr. Hazard,	no	} no
	Mr. Arnold,	no	
<i>Connecticut,</i>	Mr. Huntington,	ay	} ay
	Mr. Wadsworth,	no	
<i>New-York,</i>	Mr. Edwards,	ay	} ay
	Mr. L'Hommedieu,	ay	
	Mr. Benson,	ay	
<i>New-Jersey,</i>	Mr. Hamilton,	ay	} ay
	Mr. Yates,	no	
	Mr. Clarke,	ay	
<i>Pennsylvania,</i>	Mr. Elmer,	ay	} ay
	Mr. Dayton,	ay	
	Mr. Armstrong,	ay	
<i>Delaware,</i>	Mr. Bingham,	ay	} ay
	Mr. Read,	no	
	Mr. Kearny,	no	
<i>Maryland,</i>	Mr. Mitchell,	no	} no
	Mr. Seney,	ay	
<i>Virginia,</i>	Mr. Contee,	no	} ay
	Mr. Ross,	ay	
	Mr. Griffin,	ay	
<i>North-Carolina,</i>	Mr. Madison,	ay	} ay
	Mr. Carrington,	ay	
	Mr. Lee,	ay	
	Mr. Brown,	ay	
	Mr. Williamson,	no	
<i>South-Carolina,</i>	Mr. Swann,	no	} no
	Mr. Huger,	no	
	Mr. Parker,	no	
<i>Georgia,</i>	Mr. Tucker,	no	} no
	Mr. Few,	ay	
	Mr. Baldwin,	ay	} ay

So it was resolved in the affirmative.

A new preamble being agreed to, a motion was made by Mr. Hamilton, seconded by Mr. Dane, to re-consider the question for filling the blank in the resolution with the words "the town of Baltimore, in the state of Maryland;" and on the question for re-consideration, the yeas any nays being required by Mr. Seney,

<i>New-Hampshire,</i>	Mr. Gilman,	ay	} ay
	Mr. Wingate,	ay	
<i>Massachusetts,</i>	Mr. Sedgwick,	ay	} ay
	Mr. Dane,	ay	
<i>Rhode-Island,</i>	Mr. Otis,	ay	} ay
	Mr. Hazard,	ay	
<i>Connecticut,</i>	Mr. Arnold,	ay	} ay
	Mr. Huntington,	ay	
<i>New-York,</i>	Mr. Wadsworth,	ay	} ay
	Mr. Edwards,	ay	
<i>New-Jersey,</i>	Mr. L'Hommedieu,	ay	} ay
	Mr. Benson,	ay	
<i>Pennsylvania,</i>	Mr. Hamilton,	ay	} ay
	Mr. Yates,	ay	
<i>Delaware,</i>	Mr. Clarke,	ay	} ay
	Mr. Dayton,	ay	
<i>Maryland,</i>	Mr. Irwine,	no	} no
	Mr. Meredith,	no	
<i>Virginia,</i>	Mr. Armstrong,	no	} no
	Mr. Bingham,	no	
<i>North-Carolina,</i>	Mr. Read,	no	} no
	Mr. Kearny,	no	
<i>South-Carolina,</i>	Mr. Mitchell,	no	} no
	Mr. Seney,	no	
<i>Georgia,</i>	Mr. Contee,	no	} no
	Mr. Ross,	no	
<i>Georgia,</i>	Mr. Griffin,	no	} no
	Mr. Madison,	no	
<i>Georgia,</i>	Mr. Carrington,	no	} no
	Mr. Lee,	ay	
<i>Georgia,</i>	Mr. Brown,	no	} no
	Mr. Williamson,	no	
<i>Georgia,</i>	Mr. Swann,	no	} no
	Mr. Huger,	ay	
<i>Georgia,</i>	Mr. Parker,	no	} no
	Mr. Tucker,	no	
<i>Georgia,</i>	Mr. Few,	no	} no
	Mr. Baldwin,	no	

So it passed in the negative.

WEDNESDAY, August 6, 1788.

Congress assembled: Present the Thirteen States.

The order of the day being called for, and the act as amended for putting the constitution into operation being read as follows:

Whereas the convention assembled in Philadelphia, pursuant to the resolution of Congress of the 21st February, 1787, did, on the 17th of September, in the same year, report to the United States in Congress assembled, a constitution for the people of the United States; whereupon Congress, on the 28th of the same September, did resolve unanimously, "That the said report, with the resolutions and letter accompanying the same, be transmitted to the several legislatures, in order to be submitted to a convention of delegates chosen in each



state by the people thereof, in conformity to the resolves of the convention made and provided in that case: And whereas the constitution so reported by the convention, and by Congress transmitted to the several legislatures, has been ratified in the manner therein declared to be sufficient for the establishment of the same, and such ratifications duly authenticated have been received by Congress, and are filed in the office of the secretary; therefore *Resolved*, That the first Wednesday in January next, be the day for appointing electors in the several states, which before the said day shall have ratified the said constitution; that the first Wednesday in February next, be the day for the electors to assemble in their respective states, and vote for a president, and that the first Wednesday in March next, be the time, and the town of Baltimore, in the state of Maryland, the place for commencing proceedings under the said constitution.

A motion was made by Mr. Tucker, seconded by Mr. Lee, further to amend the act by striking out the words "the town of Baltimore, in the state of Maryland," and inserting as follows: And whereas a central situation would be most eligible for the legislature of the United States, if such could be found in a condition to furnish in due time the accommodations necessary for facilitating public business, and at the same time, free of weighty objections which might render it improper or unlikely to be the seat of government, either permanently or until a permanent seat can be agreed on: And whereas the most effectual means of obtaining finally the establishment of the federal government in a convenient central situation, is to leave the subject to the deliberate consideration of the future Congress, uninfluenced by undue attachment to any of the places which may stand in competition for preference on so interesting a question, and unembarrassed by want of time and means to fix on and prepare the most proper place for this purpose: And whereas the removal of the public offices must be attended with much expense, danger and inconvenience, which ought not to be incurred but with a well founded expectation of advantages that may fully counter-balance the same: And whereas no such advantages can be expected from a removal to any place now in a condition to receive the federal legislature: And whereas in addition to the before-mentioned reasons, unnecessary changes of the seat of government would be indicative of instability in the national councils, and therefore highly injurious to the interests as well as derogatory to the dignity of the United States; therefore *Resolved*, That the city of New-York, in the state of New-York, be the place for commencing proceedings under the said constitution.

A motion was then made by Mr. Williamson, seconded by Mr. Read, to postpone the motion before the house, in order to take up the following:

Whereas it is proper that the seat of the new Congress and of the national government, should be placed as near the centre of the union, as may consist with present accommodation, in order that its influence and benefits may be equally felt by the great body of citizens throughout the United States, that members of Congress and other persons may approach it with equal convenience, from the opposite extremes, and that no species of partial favour may seem to

have been extended to one extreme, rather than to the other; and whereas the present residence of Congress is far removed from the centre of the union, whether population or distance are considered, since the new Congress is to consist of 8 senators, from states to the eastward of New-York, and 16 from states to the southward, and since there are to be only 17 members in the house of representatives, from the eastern states, though there are to be 42 members from southern states: And since the distance to the seat of government in the extreme eastern state, is hardly equal to one-third of the distance to the seat of government in the most southerly state: And whereas it is to be desired that the new Congress may be convened in the same spirit of mutual accommodation which has hitherto appeared in all deliberations respecting the new government, and that proceedings under the said government may commence under the impressions of mutual confidence, without that general irritation and loss of time which must attend the removal from an improper situation, and without those painful apprehensions which will naturally arise from a measure that may seem to have originated in an undue regard to local considerations; therefore *Resolved*, That the seat of the new Congress ought to be in some place to the southward of New-York.

And on the question to postpone for the purpose above-mentioned, the yeas and nays being required by Mr. Williamson,

<i>New-Hampshire,</i>	Mr. Gilman,	no	} no
	Mr. Wingate,	no	
<i>Massachusetts,</i>	Mr. Sedgwick,	no	} no
	Mr. Dane,	no	
	Mr. Otis,	no	
	Mr. Thatcher,	no	
<i>Rhode-Island,</i>	Mr. Hazard,	no	} no
	Mr. Arnold,	no	
<i>Connecticut,</i>	Mr. Huntington,	no	} no
	Mr. Wadsworth,	no	
	Mr. Edwards,	ay	
<i>New-York,</i>	Mr. L'Hommedieu,	no	} no
	Mr. Benson,	no	
	Mr. Hamilton,	no	
	Mr. Yates,	no	
<i>New-Jersey,</i>	Mr. Clarke,	no	} no
	Mr. Elmer,	ay	
	Mr. Dayton,	no	
<i>Pennsylvania,</i>	Mr. Irwine,	ay	} ay
	Mr. Meredith,	ay	
	Mr. Armstrong,	ay	
	Mr. Bingham,	ay	
	Mr. Read,	ay	
<i>Delaware,</i>	Mr. Kearny,	ay	} ay
	Mr. Mitchell,	ay	
<i>Maryland,</i>	Mr. Seney,	ay	} ay
	Mr. Contee,	ay	
	Mr. Ross,	ay	

Virginia,	Mr. Griffin,	ay	}	ay
	Mr. Madison,	ay		
North-Carolina,	Mr. Carrington,	ay	}	ay
	Mr. Lee,	no		
	Mr. Brown,	ay		
South-Carolina,	Mr. Williamson,	ay	}	ay
	Mr. Swann,	ay		
	Mr. Huger,	no		
Georgia,	Mr. Parker,	no	}	no
	Mr. Tucker,	no		
	Mr. Few,	ay		
	Mr. Baldwin,	ay	}	ay

So it passed in the negative:

A motion was then made by Mr. Carrington, seconded by Mr. Bingham, to amend the amendment, by striking out the words "New-York, in the state of New-York," and in lieu thereof inserting "Philadelphia;" and on the question to agree to this amendment to the amendment, the yeas and nays being required by Mr. Read,

New-Hampshire,	Mr. Gilman,	no	}	no
	Mr. Wingate,	no		
Massachusetts,	Mr. Sedgwick,	no	}	no
	Mr. Dane,	no		
	Mr. Otis,	no		
	Mr. Thatcher,	no		
Rhode-Island,	Mr. Hazard,	no	}	no
	Mr. Arnold,	no		
Connecticut,	Mr. Huntington,	no	}	no
	Mr. Wadsworth,	ay		
	Mr. Edwards,	no		
New-York,	Mr. L'Hommedieu,	no	}	no
	Mr. Benson,	no		
	Mr. Hamilton,	no		
New-Jersey,	Mr. Yates,	no	}	no
	Mr. Clarke,	no		
	Mr. Elmer,	ay		
Pennsylvania,	Mr. Dayton,	no	}	no
	Mr. Irwine,	ay		
	Mr. Meredith,	ay		
	Mr. Armstrong,	ay		
	Mr. Bingham,	ay		
Delaware,	Mr. Read,	ay	}	ay
	Mr. Kearny,	ay		
	Mr. Mitchell,	ay		
Maryland,	Mr. Seney,	ay	}	ay
	Mr. Contee,	ay		
Virginia,	Mr. Ross,	ay	}	ay
	Mr. Griffin,	ay		
	Mr. Madison,	ay		
	Mr. Carrington,	ay		
	Mr. Lee,	ay		
	Mr. Brown,	ay	}	ay

<i>North-Carolina,</i>	Mr. Williamson,	ay	}	ay
	Mr. Swann,	ay		
<i>South-Carolina,</i>	Mr. Huger,	no	}	no
	Mr. Parker,	no		
	Mr. Tucker,	no	}	divided.
<i>Georgia,</i>	Mr. Few,	no		
	Mr. Baldwin,	ay		

So it passed in the negative.

A division was then called for,

And on the question to agree to the resolving clause, the yeas and nays being required by Mr. Lee,

<i>New-Hampshire,</i>	Mr. Gilman,	ay	}	ay
	Mr. Wingate,	ay		
<i>Massachusetts,</i>	Mr. Sedgwick,	ay	}	ay
	Mr. Dane,	ay		
	Mr. Otis,	ay		
	Mr. Thatcher,	ay		
<i>Rhode-Island,</i>	Mr. Hazard,	ay	}	ay
	Mr. Arnold,	ay		
<i>Connecticut,</i>	Mr. Huntington,	ay	}	ay
	Mr. Wadsworth,	ay		
	Mr. Edwards,	ay		
<i>New-York,</i>	Mr. L'Hommedieu,	ay	}	ay
	Mr. Benson,	ay		
	Mr. Hamilton,	ay		
	Mr. Yates,	ay		
<i>New-Jersey,</i>	Mr. Clarke,	ay	}	ay
	Mr. Elmer,	ay		
	Mr. Dayton,	ay		
<i>Pennsylvania,</i>	Mr. Irwine,	no	}	no
	Mr. Meredith,	no		
	Mr. Armstrong,	no		
	Mr. Bingham,	no		
	Mr. Read,	no		
<i>Delaware,</i>	Mr. Kearny,	no		
	Mr. Mitchell,	no	}	no
<i>Maryland,</i>	Mr. Seney,	no		
	Mr. Contee,	no	}	no
	Mr. Ross,	no		
<i>Virginia,</i>	Mr. Griffin,	no		
	Mr. Madison,	ay	}	no
	Mr. Carrington,	no		
	Mr. Lee,	ay		
	Mr. Brown,	no	}	no
<i>North-Carolina,</i>	Mr. Williamson,	no		
	Mr. Swann,	no	}	ay
<i>South-Carolina,</i>	Mr. Huger,	ay		
	Mr. Parker,	ay		
	Mr. Tucker,	ay	}	divided.
<i>Georgia,</i>	Mr. Few,	ay		
	Mr. Baldwin,	no		

So it was resolved in the affirmative.

On the question to agree to the preamble, the yeas and nays being required by Mr. Irwine,

<i>New-Hampshire,</i>	Mr. Gilman,	ay	} ay
	Mr. Wingate,	ay	
<i>Massachusetts,</i>	Mr. Sedgwick,	ay	} ay
	Mr. Dane,	ay	
	Mr. Otis,	ay	
<i>Rhode-Island,</i>	Mr. Thatcher,	ay	} ay
	Mr. Hazard,	ay	
	Mr. Arnold,	ay	
<i>Connecticut,</i>	Mr. Huntington,	ay	} ay
	Mr. Wadsworth,	ay	
	Mr. Edwards,	no	
<i>New-York,</i>	Mr. L'Hommedieu,	ay	} ay
	Mr. Benson,	ay	
	Mr. Hamilton,	ay	
<i>New-Jersey,</i>	Mr. Yates,	ay	} ay
	Mr. Clarke,	ay	
	Mr. Elmer,	no	
<i>Pennsylvania,</i>	Mr. Dayton,	ay	} ay
	Mr. Irwine,	no	
	Mr. Meredith,	no	
	Mr. Bingham,	no	
	Mr. Armstrong,	no	
<i>Delaware,</i>	Mr. Read,	no	} no
	Mr. Kearny,	no	
	Mr. Mitchell,	no	
<i>Maryland,</i>	Mr. Seney,	no	} no
	Mr. Contee,	no	
	Mr. Ross,	no	
<i>Virginia,</i>	Mr. Griffin,	no	} no
	Mr. Madison,	no	
	Mr. Carrington,	no	
<i>North-Carolina,</i>	Mr. Lee,	ay	} no
	Mr. Brown,	no	
	Mr. Williamson,	no	
<i>South-Carolina,</i>	Mr. Swann,	no	} no
	Mr. Huger,	ay	
	Mr. Parker,	ay	
<i>Georgia,</i>	Mr. Tucker,	ay	} ay
	Mr. Few,	ay	
	Mr. Baldwin,	no	

So it was resolved in the affirmative.

THURSDAY, August 7, 1788.

Congress assembled: Present as yesterday.

FRIDAY, August 8, 1788.

Congress assembled: Present, New-Hampshire, Massachusetts, Con-

necticut, New-York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina and Georgia.

On the report of a committee, consisting of Mr. Clarke, Mr. Williamson and Mr. Wadsworth, to whom was referred a letter of Thomas Hutchins, Esq; touching his salary,

*Resolved*, That in the settlement of Mr. T. Hutchins' accounts, he be allowed for the whole of his time since passing the resolution of the 23d of March, 1787, except so much of the said time as he was employed in running the line between the states of Massachusetts and New-York.

—●—  
*MONDAY, August 11, 1788.*

Congress assembled: Present, New-Hampshire, Massachusetts, Connecticut, New-York, Pennsylvania, Maryland, Virginia, North-Carolina, South-Carolina and Georgia; and from New-Jersey, Mr. Elmer, and from Delaware, Mr. Kearny.

—●—  
*TUESDAY, August 12, 1788.*

Congress assembled: Present, New-Hampshire, Massachusetts, Connecticut, New-York, Pennsylvania, Maryland, Virginia, North-Carolina, South-Carolina and Georgia; and from New-Jersey, Mr. Elmer.

On the report of a committee, consisting of Mr. Carrington, Mr. Wadsworth, Mr. Irwine, Mr. Baldwin and Mr. Hamilton, to whom were referred sundry letters and papers from the governor of the western territory,

*Resolved*, That the executives of Virginia and Pennsylvania, be requested to give orders to the militia of their respective frontiers, to hold themselves in readiness to unite with the federal troops in such operations as the governor of the western territory may judge necessary for the protection of the inhabitants; and that on the application of the said governor, the said executives be requested to give orders that parts of their said militia, not exceeding 1000 for Virginia, and 500 for Pennsylvania, be embodied and take such positions as the commanding-officer of the federal troops shall direct for acting in conjunction with the said federal troops, in protecting and defending the frontiers against any hostilities commenced or meditated by the Indians, and in making such expeditions, should they continue hostile, as the said governor shall direct for repelling such hostilities: That the militia which shall be called into the actual service of the United States, for the defence of the frontier inhabitants, or the purposes of any expedition, shall be paid, supported and equipped, by the states from which the same may be respectively called, and that such state be credited for the same out of the existing specie requisitions, so far as such expenditures shall be for pay and rations, which are to be computed on the federal establishments, for similar service; provided that no charge for such service shall be valid, unless supported by musters made by an officer of the federal troops, agreeably to the orders of the commanding-officer.

On the question, to agree to this resolution, the yeas and nays being required by Mr. Yates,

New-Hampshire,	Mr. Gilman,	ay	} ay
	Mr. Wingate,	ay	
Massachusetts,	Mr. Sedgwick,	ay	} ay
	Mr. Dane,	ay	
Connecticut,	Mr. Thatcher,	ay	} ay
	Mr. Huntington,	ay	
New-York,	Mr. Wadsworth,	ay	} ay
	Mr. L'Hommedieu,	ay	
New-Jersey,	Mr. Benson,	ay	} ay
	Mr. Hamilton,	ay	
Pennsylvania,	Mr. Yates,	no	} *
	Mr. Elmer,	ay	
Delaware,	Mr. Irwine,	ay	} ay
	Mr. Meredith,	ay	
Maryland,	Mr. Armstrong,	ay	} ay
	Mr. Kearny,	ay	
Virginia,	Mr. Mitchell,	ay	} ay
	Mr. Seney,	ay	
North-Carolina,	Mr. Contee,	ay	} ay
	Mr. Ross,	ay	
South-Carolina,	Mr. Griffin,	ay	} ay
	Mr. Madison,	ay	
Georgia,	Mr. Carrington,	ay	} ay
	Mr. Lee,	ay	
	Mr. Brown,	ay	} ay
	Mr. Williamson,	ay	
	Mr. Swann,	ay	} ay
	Mr. Huger,	ay	
	Mr. Tucker,	ay	} ay
	Mr. Few,	ay	
	Mr. Baldwin,	ay	

So it was resolved in the affirmative.

That the said governor be informed, that the foregoing resolutions having been taken by Congress, on an apprehension that a war may be inevitable, he is to consider it as their earnest desire, that all hostile measures may be avoided, unless rendered indispensable to the safety and protection of the citizens of the United States.

Resolved, That the commissioners for Indian treaties be instructed in the further purchases of Indian rights to lands, to extend the same as far as to them shall appear for the advantage of the United States, upon considering all circumstances, any former instructions prescribing certain limits notwithstanding.

WEDNESDAY, August 13, 1788.

Congress assembled: Present as yesterday.

The order of the day being called up for putting the constitution into operation, and the act as amended, being read as follows:

Whereas the convention assembled in Philadelphia pursuant to the resolution of Congress of the 21st of February, 1787, did, on the 17th of September, in the same year, report to the United States in Congress assembled, a constitution for the people of the United States,

whereupon Congress, on the 28th of the same September, did resolve unanimously, That the said report, with the resolutions and letter accompanying the same, be transmitted to the several legislatures, in order to be submitted to a convention of delegates chosen in each state by the people thereof, in conformity to the resolves of the convention made and provided in that case; and whereas the constitution so reported by the convention, and by Congress transmitted to the several legislatures, has been ratified in the manner therein declared to be sufficient for the establishment of the same, and such ratifications duly authenticated, have been received by Congress, and are filed in the office of the secretary; therefore *Resolved*, That the first Wednesday in January next, be the day for appointing electors in the several states, which before the said day shall have ratified the said constitution; that the first Wednesday in February next, be the day for the electors to assemble in their states, and vote for a president; and that the first Wednesday in March next, be the time for commencing proceedings under the said constitution: And whereas a central situation would be most eligible for the sitting of the legislature of the United States, if such could be found in a condition to furnish in due time, the accommodations necessary for facilitating public business, and at the same time free of weighty objections which might render it improper or unlikely to be the seat of government, either permanently or until a permanent seat can be agreed on: And whereas the most effectual means of obtaining finally the establishment of the federal government, in a convenient central situation, is to leave the subject to the deliberate consideration of the future Congress, uninfluenced by undue attachment to any of the places which may stand in competition for preference, on so interesting a question, and unembarrassed by want of time and means to fix on and prepare the most proper place for this purpose; and whereas the removal of the public offices must be attended with much expense, danger and inconvenience, which ought not to be incurred but with a well founded expectation of advantages that may fully counter-balance the same; and whereas no such advantages can be expected from a removal to any place now in a condition to receive the federal legislature; and whereas in addition to the before-mentioned reasons, unnecessary changes in the seat of government would be indicative of instability in the national councils, and therefore highly injurious to the interests as well as derogatory to the dignity of the United States; therefore *Resolved*, That the city of New-York, in the state of New-York, be the place for commencing proceedings under the said constitution.

On the question to agree to the said act, the yeas and nays being required by Mr. Sedgwick,

New-Hampshire,

Mr. Gilman,

ay

Mr. Wingate,

ay

Massachusetts,

Mr. Sedgwick,

ay

Mr. Dane,

ay

Mr. Otis,

ay

Mr. Thatcher,

ay

Connecticut,

Mr. Huntington,

ay

Mr. Wadsworth,

ay



New-York,	Mr. L'Hommedieu,	ay	} ay
	Mr. Hamilton,	ay	
New-Jersey,	Mr. Elmer,	ay	} *
Pennsylvania,	Mr. Irwine,	no	
	Mr. Meredith,	no	} no
	Mr. Armstrong,	no	
Delaware,	Mr. Kearny,	no	} no
	Mr. Mitchell,	no	
Maryland,	Mr. Seney,	no	} no
	Mr. Contee,	no	
	Mr. Ross,	no	
Virginia,	Mr. Griffin,	no	} no
	Mr. Madison,	no	
	Mr. Carrington,	no	
	Mr. Lee,	ay	} ay
South-Carolina,	Mr. Huger,	ay	
	Mr. Parker,	ay	
	Mr. Tucker,	ay	} divided.
Georgia,	Mr. Few,	ay	
	Mr. Baldwin,	no	

So the question was lost.

An ordinance was then moved by Mr. Kearny, seconded by Mr. Contee, which was read in the words following :

An ordinance for establishing the times for appointing electors and choosing a president under the new constitution, with the time and place for commencing proceedings under the said constitution, agreeably to the resolves of the convention assembled in Philadelphia, of the 17th September, 1787.

Whereas the convention assembled in Philadelphia, pursuant to the resolution of Congress of the 21st of February, 1787, did, on the 17th day of September, in the same year, report to the United States in Congress assembled, a constitution or form of government for the people of the United States ; whereupon Congress, on the 28th day of the same September, did *Resolve* unanimously, That the said report, with the resolutions and letter accompanying the same, be transmitted to the several legislatures, in order to be submitted to a convention of delegates, chosen in each state by the people thereof, in conformity to the resolves of the convention made and provided in that case : And whereas the constitution so reported by the convention, and by Congress transmitted to the several legislatures, has been ratified in the manner therein declared to be sufficient for the establishment of the same, and such ratifications, duly authenticated, have been received by Congress, and are filed in the office of the secretary thereof ; be it therefore ordained by the United States in Congress assembled, That the first Wednesday in January next, be the day for appointing electors in the several states, which before the said day shall have ratified the said constitution ; that the first Wednesday in February next, be the day for the electors to assemble in their respective states, and vote for a president ; and that the first Wednesday in March next, be the time, and the place for commencing proceedings under the said constitution. Done, &c.

On the question, shall this ordinance be read a second time? the yeas and nays being required by Mr. Kearny,

<i>New-Hampshire,</i>	Mr. Gilman,	no	}	no
	Mr. Wingate,	no		
<i>Massachusetts,</i>	Mr. Sedgwick,	no	}	no
	Mr. Dane,	no		
	Mr. Otis,	no		
	Mr. Thatcher,	no		
<i>Connecticut,</i>	Mr. Huntington,	no	}	no
	Mr. Wadsworth,	no		
<i>New-York,</i>	Mr. L'Hommedieu,	no	}	divided.
	Mr. Hamilton,	ay		
<i>New-Jersey,</i>	Mr. Elmer,	ay	}	*
	<i>Pennsylvania,</i>	Mr. Irwine,		
Mr. Meredith,		ay	}	ay
Mr. Armstrong,		ay		
<i>Delaware,</i>	Mr. Kearny,	ay	}	ay
	Mr. Mitchell,	ay		
<i>Maryland,</i>	Mr. Seney,	ay	}	ay
	Mr. Contee,	ay		
<i>Virginia,</i>	Mr. Ross,	ay	}	ay
	Mr. Griffin,	ay		
	Mr. Madison,	ay		
	Mr. Carrington,	ay		
<i>South-Carolina,</i>	Mr. Lee,	no	}	no
	Mr. Huger,	no		
	Mr. Parker,	no		
<i>Georgia,</i>	Mr. Few,	no	}	divided.
	Mr. Baldwin,	ay		

So the question was lost.

The committee, consisting of Mr. Clarke, Mr. Dane, Mr. Williamson, Mr. Bingham and Mr. Baldwin, to whom was referred a report of the board of treasury, having reported a requisition for the year 1788, and the same being under debate, a motion was made by the delegates of North-Carolina, That 7202 dollars be taken from the quota of North-Carolina, and added to the quota of South-Carolina: And on the question to agree to this amendment, the yeas and nays being required by Mr. Williamson,

<i>New-Hampshire,</i>	Mr. Gilman,	no	}	no
	Mr. Wingate,	no		
<i>Massachusetts,</i>	Mr. Sedgwick,	no	}	no
	Mr. Dane,	no		
	Mr. Otis,	no		
	Mr. Thatcher,	no		
<i>Connecticut,</i>	Mr. Huntington,	no	}	no
	Mr. Wadsworth,	no		
<i>New-York,</i>	Mr. L'Hommedieu,	no	}	no
	Mr. Yates,	no		
<i>New-Jersey,</i>	Mr. Elmer,	no	}	*

Pennsylvania,	Mr. Irwine,	no	} no
	Mr. Meredith,	no	
	Mr. Armstrong,	no	
Delaware,	Mr. Kearny,	no	} no
	Mr. Mitchell,	no	
Maryland,	Mr. Seney,	no	} no
	Mr. Contee,	no	
	Mr. Ross,	no	
Virginia,	Mr. Griffin,	no	} no
	Mr. Carrington,	no	
	Mr. Lee,	no	
North-Carolina,	Mr. Williamson,	ay	} ay
	Mr. Swann,	ay	
South-Carolina,	Mr. Huger,	no	} no
	Mr. Parker,	no	
Georgia,	Mr. Tucker,	no	} *
	Mr. Baldwin,	no	

So it passed in the negative.

A motion was then made by the delegates of Delaware, that the sum of 5288 $\frac{72}{90}$  dollars, be deducted from the quota of the state of Delaware, and added to the state of Georgia : On the question to agree to this, the yeas and nays being required by Mr. Kearny,

New-Hampshire,	Mr. Gilman,	ay	} ay
	Mr. Wingate,	ay	
Massachusetts,	Mr. Sedgwick,	no	} no
	Mr. Dane,	no	
	Mr. Otis,	no	
	Mr. Thatcher,	ay	
Connecticut,	Mr. Huntington,	no	} no
	Mr. Wadsworth,	no	
	Mr. L'Hommedieu,	no	
New-York,	Mr. Yates,	no	} no
	Mr. Elmer,	ay	
New-Jersey,	Mr. Irwine,	ay	} *
	Mr. Meredith,	ay	
Pennsylvania,	Mr. Armstrong,	ay	} ay
	Mr. Kearny,	ay	
Delaware,	Mr. Mitchell,	ay	} ay
	Mr. Seney,	ay	
Maryland,	Mr. Contee,	no	} ay
	Mr. Ross,	ay	
Virginia,	Mr. Griffin,	no	} no
	Mr. Carrington,	ay	
	Mr. Lee,	no	
North-Carolina,	Mr. Swann,	ay	} *
South-Carolina,	Mr. Huger,	ay	
Georgia,	Mr. Parker,	no	} no
	Mr. Tucker,	no	
	Mr. Few,	no	
	Mr. Baldwin,	no	} no

So the question was lost.

THURSDAY, August 10, 1788.

Congress assembled: Present, New-Hampshire, Massachusetts, Connecticut, New-York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina and Georgia.

A letter, of 13th August, from Mr. W. Livingston, one of the commissioners of the board of treasury, was read, requesting leave of absence, from the 18th instant to the last of next month; whereupon,  
*Ordered*, That leave be granted to him accordingly.

On the report of a committee, consisting of Mr. Tucker, Mr. Dayton and Mr. Williamson, to whom was referred a letter from the war-office, with papers from the superintendent of Indian affairs, for the southern-department, relating to a proposed treaty with the southern Indians:

*Resolved*, That a further sum of 4000 dollars, or so much thereof as may be found absolutely necessary, be allowed in addition to the 6000 dollars, granted by a resolution of Congress of the 26th of October, 1787, for defraying the expense of the treaty intended to be made with the southern Indians, and that the states of North-Carolina, South-Carolina and Georgia, be required to furnish the same in equal sums, to be credited on their respective quotas of specie requisitions of Congress. That it be earnestly recommended to the state of North-Carolina, to furnish, without delay, her quota of the 6000 dollars before granted, as well as of the 4000 dollars granted by this resolution, that no misfortune may happen from the want of sufficient funds to bring the treaty to a happy issue; and that it be also recommended to the said state or to the executive thereof, to appoint a commissioner, if possible, in time to assist at the said treaty.

*Resolved*, That if any of the states shall furnish more than its quota of either of the before-mentioned sums, such state or states shall have credit for the whole sum furnished in like manner as expressed in the preceding resolution.

FRIDAY, August 15, 1788.

Congress assembled: Present, New-Hampshire, Massachusetts, Connecticut, New-York, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina and South-Carolina; and from New-Jersey, Mr. Clarke, and from Georgia, Mr. Baldwin.

On a memorial of Udney Hay,

*Ordered*, That the commissioner of army accounts, in settling with Udney Hay, agreeably to the resolution of the 22d of July last, make no deduction from the year's pay on account of depreciation, and that interest be allowed from the 24th of November, 1778.

MONDAY, August 18, 1788.

Congress assembled: Present as on Friday last.

WEDNESDAY, August 20, 1788.

Congress assembled: Present, New-Hampshire, Massachusetts, Connecticut, New-York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina and Georgia.

On the report of a committee, consisting of Mr. Williamson, Mr.

Wadsworth and Mr. Baldwin, to whom were referred fundry letters from colonel Martin,

*Resolved*, That Joseph Martin, Esq; be, and he is hereby appointed agent for the Chickasaw nation of Indians, together with the Cherokees, with the powers that are described in the act of the 19th of June last.

The committee, consisting of Mr. Clarke, Mr. Dane, Mr. Williamson, Mr. Bingham and Mr. Baldwin, to whom was referred the report of the board of treasury respecting a requisition for the year 1788, having reported, "That in order to ascertain whether any, or what sums in specie it may be necessary to require of the states the present year, they have taken a general view of the expenditures of every kind of the United States for several years past, and including an estimate for the present year, and have compared these expenditures with the provisions that have been made by Congress for discharging specie demands upon the union, during the same period: That on ascertaining the amount of the said expenditures from January 1, 1784, to January 1, 1788, the amount of the interest which accrued on the foreign debt previous to the year 1784, and the amount of the sums paid for services performed in the years 1782 and 1783, out of the requisition of 1784, they find that those expenditures, and the said interest and services of 1782 and 1783, and estimate, amount to the sums following, viz.

	<i>Dollars.</i>	<i>Dollars.</i>
Interest accrued on the foreign debt prior to 1784, - - -	265,548	
Foreign interest which became due 1784, 1785, 1786 and 1787, - - -	1,707,571.70	
Foreign interest which becomes due in 1788, - - -	468,981.75	
<hr/>		
Whole amount of foreign interest to 1788, inclusive,	2,442,101.55	
<i>Parts of the Principal of the Foreign Debt due.</i>		
Of the French debt in 1787, - - -	462,962.82	
Ditto, ditto, 1788, - - -	462,962.82	
<hr/>		
Instalments of the foreign debt, - - -	925,923.74	
<hr/>		
Interest and parts of the principal of the foreign debt which become due from the contracting thereof, to 1788, inclusive,	3,358,027.49	
Amount of payments for the said services performed in 1782 and 1783, - - -	230,680.33	
Actual expenditures in the years 1784, 1785, 1786 and 1787, in the civil, military, Indian, contingent, invalid and geographer's departments, - - -	2,111,782.34	
Estimate for the year 1788, - - -	326,427	
<hr/>		
Total amount, - - -	6,036,917.16	

Having ascertained the expenditures aforesaid, the committee have found it necessary to enquire what parts

of them have been actually paid, and they find these amount to	<i>Dollars.</i> 3,168,442.46
And that the parts of the expenditures aforesaid, remaining unpaid, are as follows:	
Foreign interest to the year 1788, inclusive,	1,521,116.33
The principal aforesaid of the foreign debt, becoming due in 1785 and 1788,	925,925.74
Arrearages of expenditures in the years 1784, 1785, 1786 and 1787, in the departments aforesaid,	181,005.43
Parts of the estimate of the present year unpaid,	240,427
	<hr/> 2,868,474.60

The committee having ascertained the extent of the public expenditures and the amount of the unsatisfied demands which have heretofore arisen, and which arise the present year, against the union as aforesaid, proceeded to examine the extent of the provisions already made by Congress, and the parts thereof which may be applied to discharge the unsatisfied demands aforesaid, and they find that the

Specie requisitions made since January 1, 1784, amount to	<i>Dollars.</i> 5,173,673.22
That the foreign loans contracted since January 1, 1784, amount to	1,600,000
	<hr/> 6,773,673.22

Whole amount of provisions, - - - - -  
That of the said requisitions there is now due from the states, making a reasonable allowance for what they may have paid to invalids, sums amounting to 3,292,594.7  
Which sums may be applied to pay the unsatisfied demands before stated.

That though a considerable part of the loans before-mentioned was applied to discharge debts of the late war, and 338,640 dollars thereof must be reserved for paying interest on the Dutch loans which will become due in the years 1789 and 1790, yet 71,093 dollars, the proceeds of the said loans, may be applied to pay the unsatisfied demands above stated; hence the provisions already made and unapplied are,

The arrearages of specie requisitions, amounting to	<i>Dollars.</i> 3,292,594.7
Parts of the loans made in Holland, amounting to	71,093
Proceeds of Jones's captures, comprehended in the expenditures, &c.	20,772.55
	<hr/> 3,384,459.62

By this statement it appears that there is a surplus provision already made beyond the demands in specie, of the year 1788, and of the preceding years, of 854,625.2 dollars, including the provision for the Dutch interest in 1789 and 1790; so that it will not be necessary to require any specie of the states the present year, beyond the arrearages of the past requisitions. As the past requisitions were calculated to the expenditures of the years in which they were made, and the invalid

pensions, and some other expenses, were not included in the estimates, and as no requisition for specie was made last year, and none by the above statement appears to be necessary this, it may be proper to shew briefly how this happens.

As the Dutch interest which will become due in the years 1789 and 1790, is already provided for by the late Dutch loans, and as the whole foreign interest, and parts of the principal of the foreign debt, which become due the present year, are already provided for, and as the respective states owe large arrearages of requisitions, and have large internal demands upon them as individual states to satisfy, and their means of paying them must soon be diminished considerably, the committee are of opinion, that it is not advisable to require the respective states to make provision for paying the interest, and such parts of the principal of the foreign debt, as will not become due till some time in the year 1789: In this case, the specie demands upon the United States for the present and preceding years, amount to 2,868,474.60 dollars, to be discharged by surplus provisions of foreign loans, and preceding requisitions, which, as before stated, amount to 3,363,687.7.

Not to particularize several instances in which the estimates have in no great degree exceeded the actual expenditures, the surplus provisions will be principally found under the few following heads: In the requisition for the year 1784, 1,000,000 of dollars were provided for the services of 1782 and 1783; 769,320 dollars of which were not applied to those objects; in the same requisition, 161,461.57 dollars were required and not appropriated, and in the requisition of 1786, there was a surplus called for by mistake, of 333,111, and a large surplus has arisen in the past requisitions by applying a considerable part of the late Dutch loans to paying foreign interests, &c. to pay which, appropriations in those requisitions had been made; past appropriations have also been eased considerably by other means. It is to be observed, that the loans made by the United States in Holland, in the years 1787 and 1788, amount, when filled, to 800,000 dollars; that provision is made in the past requisitions of Congress for sinking the principal of the foreign debt, 925,925.74 dollars, so that when the states shall seasonably pay up the arrears of past requisitions, Congress will be enabled to lessen the foreign debt, notwithstanding the said loans of 1787 and 1788; to pay the interest due on the foreign debt to the year 1788, inclusive; to pay the current expenses of the federal government of the present and preceding years, and to be provided in some measures for the demands of the year 1782.

Under these circumstances the committee are of opinion, that the monies lately borrowed in Holland, be applied solely to discharging the Dutch interest; and certain demands arising against the United States in Europe; that an adequate sum of the arrears due of the past requisitions be appropriated for the services of the present year, and that one year's interest on the domestic debt be called for and made payable in indents;” whereupon;

*Resolved*, That of the arrearages due on the requisitions of 1784, 1785 and 1786, be, and there is hereby appropriated for the services of the present year, the sum of 326,427 dollars, and for the following purposes, to wit:

	<i>Dollars.</i>
For the civil department, - - -	108,587. 60
Military department, - - -	119,839. 30
Surveys of western lands, - - -	4,000
Indian treaties, - - -	20,000
Invalid pensions, - - -	58,000
Contingencies, - - -	16,000
	326,427

*Resolved*, That the states be, and they are hereby required to pay into the treasury of the United States, on or before the first day of July next, the sum of 1,686,541  $\frac{12}{100}$  dollars, being the amount of one year's interest on the domestic debt of the United States; and that the quotas of the several states of the aforefaid sum, be as follows, to wit:

	<i>Dollars.</i>
New-Hampshire, - - -	59,258
Massachusetts, - - -	252,339. 63
Rhode-Island, - - -	36,326. 18
Connecticut, - - -	148,536. 18
New-York, - - -	144,185. 57
New-Jersey, - - -	93,728. 36
Pennsylvania, - - -	230,698. 18
* Delaware, - - -	25,238. 72
Maryland, - - -	158,096. 81
Virginia, - - -	288,391. 18
North-Carolina, - - -	122,564. 54
South-Carolina, - - -	108,160. 54
Georgia, - - -	18,036. 63
	1,686,541. 12

\* On the question for apportioning the quota of the state of Delaware, the yeas and nays being required by Mr. Kearny,

<i>New-Hampshire,</i>	Mr. Gilman,	ay	} ay
	Mr. Wingate,	ay	
<i>Massachusetts,</i>	Mr. Sedgwick,	ay	} ay
	Mr. Dane,	ay	
<i>Connecticut,</i>	Mr. Thatcher,	ay	} ay
	Mr. Huntington,	ay	
<i>New-York,</i>	Mr. Wadsworth,	ay	} ay
	Mr. Hamilton,	ay	
<i>New-Jersey,</i>	Mr. Yates,	ay	} ay
	Mr. Clarke,	ay	
<i>Pennsylvania,</i>	Mr. Dayton,	ay	} ay
	Mr. Irwine,	ay	
<i>Delaware,</i>	Mr. Read,	ay	} ay
	Mr. Kearny,	no	
<i>Maryland,</i>	Mr. Mitchell,	no	} no
	Mr. Seney,	no	
	Mr. Ross,	no	



*Resolved*, That the several states be allowed to discharge their respective quotas of the said sum by indents for interest on loan-office certificates, and upon other certificates of the liquidated debts of the United States, in such manner as they judge most expedient, and to ascertain the evidence of interest due on loan-office certificates, the holders thereof respectively shall be at liberty to carry them to the office from which they issued; and the holders of other certificates of liquidated debts of the United States, to carry the same to the loan-officer of that state wherein they are inhabitants, or if foreigners, to any loan-office within the United States, and to have the interest thereon settled and certified to the last day of the year 1787.†

<i>Virginia</i> ,	Mr. Griffin,	ay	}	ay
	Mr. Madison,	ay		
	Mr. Carrington,	ay		
	Mr. Lee,	ay		
<i>North-Carolina</i> ,	Mr. Williamson,	ay	}	ay
	Mr. Swann,	ay		
<i>South-Carolina</i> ,	Mr. Huger,	ay	}	ay
	Mr. Parker,	ay		
	Mr. Tucker,	ay		
<i>Georgia</i> ,	Mr. Few,	ay	}	ay
	Mr. Baldwin,	ay		

So it passed in the affirmative.

† On the question to agree to this resolution, the yeas and nays being required by Mr. Kearny,

<i>New-Hampshire</i> ,	Mr. Gilman,	ay	}	ay
	Mr. Wingate,	ay		
<i>Massachusetts</i> ,	Mr. Sedgwick,	ay	}	ay
	Mr. Dane,	ay		
	Mr. Thatcher,	ay		
<i>Connecticut</i> ,	Mr. Huntington,	ay		
	Mr. Wadsworth,	ay	}	ay
<i>New-York</i> ,	Mr. Hamilton,	ay		
	Mr. Yates,	ay	}	ay
<i>New-Jersey</i> ,	Mr. Clarke,	ay		
	Mr. Dayton,	ay		
<i>Pennsylvania</i> ,	Mr. Irwine,	ay	}	ay
	Mr. Read,	ay		
<i>Delaware</i> ,	Mr. Kearny,	no	}	divided.
	Mr. Mitchell,	ay		
<i>Maryland</i> ,	Mr. Seney,	ay	}	ay
	Mr. Ross,	ay		
<i>Virginia</i> ,	Mr. Griffin,	ay		
	Mr. Madison,	ay	}	ay
	Mr. Carrington,	ay		
	Mr. Lee,	ay		
<i>North-Carolina</i> ,	Mr. Williamson,	ay		
	Mr. Swann,	ay	}	ay

*Resolved*, That the foregoing requisition for 1,686,541.12 dollars, when paid, shall be passed to the credit of the states respectively, on the terms prescribed by the resolve of Congress of the 6th day of October, 1779.

*Resolved*, That the board of treasury furnish the several loan-officers with indents to be issued for interest as aforesaid; and also with such checks and instructions as they, from time to time, shall judge necessary, to prevent counterfeit certificates of debts from obtaining a settlement of interest, and to detect counterfeit evidence of interest, and thereby to avoid receiving them in discharge of taxes; which indents of interest being parted with by the holder of the principal, shall be deemed evidence that he has received satisfaction for the same, and shall be receivable from any state in the union, whether issued in such state or any other state.

*Resolved*, That the state paying such indents of interest into the treasury of the United States, shall have credit for the same, and such payment shall be considered as a discharge of interest on the domestic debt, in the proportion that each state avails itself of the said indents of interest; but no state shall have a right to pay more than its quota, as specified in the existing requisitions of Congress, in the said indents of interest.

*Resolved*, That the board of treasury be, and they are hereby directed to transmit to each state an account of their respective arrears on requisitions in specie and indents, and to state to them the necessity there is of their making payments of their arrears in specie, to enable Congress to discharge the current expenses of the federal government, and the interest, and parts of the principal of the foreign debt, which are become due, and remain unpaid.

On a report of the board of treasury, to whom was referred an extract of a letter of the 6th of August, 1787, from Mr. Jefferson,

*Resolved*, That so much of the loans in Holland, as shall be necessary to discharge the interest due on certificates issued to foreign officers, to the 31st of December, 1788, be specially appropriated for that purpose, under the direction of the minister of the United States at the court of France.

On a report of the board of treasury, to whom was referred a memorial of Francis Mentges, late a lieutenant-colonel in the service of the United States, claiming a compensation for extra services, whilst superintending the hospitals in the state of Virginia,

*Resolved*, That the memorial of Francis Mentges, late a lieutenant-colonel in the Pennsylvania line, be dismissed, the prayer thereof being inadmissible.

THURSDAY, August 21, 1788.

Congress assembled: Present as yesterday.

South-Carolina,	Mr. Parker,	ay	} ay
	Mr. Tucker,	ay	
Georgia,	Mr. Few,	ay	} ay
	Mr. Baldwin,	ay	

So it was resolved in the affirmative.

On the report of a committee, to whom was referred a letter of Samuel Frauncis, and a report of the board of treasury, to whom was referred a petition of the said S. Frauncis,

*Resolved*, That the advances already made and sums paid to Samuel Frauncis, in consequence of the act of 4th April, 1785, are a full compensation for all his demands against the United States, and that he have leave to withdraw his petition.

On a report of the board of treasury, to whom was referred a memorial of Samuel Montgomery,

*Resolved*, That the application of Samuel Montgomery, for the reimbursement of certain damages, stated to have been sustained by him while acting in the department of Indian affairs, be dismissed, the memorialist having no claim against the United States.

FRIDAY, August 22, 1788.

Congress assembled: Present as before.

MONDAY, August 25, 1788.

Congress assembled: Present, New-Hampshire, Massachusetts, Connecticut, New-York, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina and Georgia; and from New-Jersey, Mr. Dayton.

On motion of Mr. Tucker, seconded by Mr. Parker,

*Ordered*, That the board of treasury take order for paying the bill for 160 dollars, drawn by the commissioners of the said board, on the loan-officer in the state of South-Carolina, in favour of David Oliphant, pursuant to the resolution of Congress of 10th October, 1786.

The report of the committee, to whom was referred a letter from baron de Steuben, being called up, and the same having been read in the words following, viz.

The committee, consisting of Mr. Gilman, Mr. Otis, Mr. Williamson, Mr. Carrington and Mr. L'Hommedieu, to whom was referred a letter from the baron de Steuben, requesting an adjustment of his claims on the principles of a contract alleged to have been entered into between him and the United States, previous to his engaging in their service, submit the following report, viz. That in January, 1778, Congress received a letter from the baron de Steuben, dated Portsmouth, December 6, 1777, in the words following, viz. "Honorable gentlemen, The honour of serving a respectable nation, engaged in the noble enterprize of defending its rights and liberty, is the only motive that brought me over to this continent. I ask neither riches nor titles; I am come here from the remotest end of Germany at my own expense, and have given up an honorable and lucrative rank. I have made no condition with your deputies in France, nor shall I make any with you; my only ambition is to serve you as a volunteer, to deserve the confidence of your general in chief, and to follow him in all his operations, as I have done during seven campaigns with the king of Prussia: two and twenty years past at such a school, seem to give me a right of thinking myself in the number of experienced officers; and if I am possessor of some talents in the art of war, they should be much dearer to me, if I could employ them in the service of a republic, such as

I hope soon to see America. I should willingly purchase, at my whole blood's expense, the honor of seeing one day, my name, after those of the defenders of your liberty. Your gracious acceptance will be sufficient for me, and I ask no other favor than to be received among your officers. I dare hope you will agree this my request, and that you will be so good as to send me your orders to Boston, where I shall expect for them, and accordingly take measures. I have the honor to be, with respect, honorable gentlemen, your most obedient and very humble servant, (signed) Steuben." Whereupon Congress *Resolved*, "That the president present the thanks of Congress, in behalf of these United States to baron Steuben, for the zeal he has shewn for the cause of America, and the disinterested tender he has been pleased to make of his military talents, and inform him that Congress cheerfully accept of his service as a volunteer in the army of these states, and wish him to repair to general Washington's quarters as soon as convenient." Your committee further report, that on the baron's arrival at York-town, the seat of Congress in February, 1778, the committee, consisting of Mr. Witherpoon, Mr. McKean, Mr. F. L. Lee and Mr. Henry, appointed to confer with him, made their report to Congress in the words following, viz. "The baron Steuben who was a lieutenant-general and aid-de-camp to the king of Prussia, desires no rank; is willing to attend general Washington, and be subject to his orders; does not require or desire any command of a particular corps or division, but will serve occasionally as directed by the general; expects to be of use in planning encampments, &c. and promoting the discipline of the army; he heard, before he left France, of the dissatisfaction of the Americans with the promotion of foreign officers, therefore makes no terms, nor will accept of any thing but with general approbation, and particularly that of general Washington." Letters and certificates from different gentlemen to the baron, expressing their sense of the contract alleged to have been made by him, have also been laid before your committee: But the above report, and the preceding act of Congress, being the only records on this subject, your committee do not find that any demand was made by the baron, of indemnification for offices, which he may have relinquished in Germany, nor any promise of such indemnification made by Congress. Your committee further report, that in December, 1782, the baron addressed a letter to the president of Congress, requesting a committee to enquire into and report his situation and pretensions; which being granted, he stated his pretensions in the words following, viz. "My demands were these, to join the army as a volunteer; that I wished to be known by the commander in chief, and to leave it to the officers of the army if my capacity entitled me to hold a commission in it; that the general could employ me in such a branch, where he thought my services the most useful; that I was determined not to ask a favor or a reward previous of having deserved it. That however I expected from the generosity of Congress, that in imitation of all European powers, they would defray my expenses, altho' a volunteer, according to the rank which I held in Europe, as well for myself, as my aids and servants." Your committee further report, that although the baron has disclaimed any preliminary stipulations for reward, and tho' Congress do not

appear to have engaged to indemnify him for emoluments that may have been given up in Europe, yet he has received from Congress, strong and singular proofs of their desire to place him in easy circumstances; and under the different heads of allowance for expenses, pay as major-general and inspector, commutation of half-pay for life, and a subsequent grant, according to the statement made by the commissioner of army accounts, he has received above 44,000 dollars in specie, or other money reduced to specie value, besides provisions and forage to a large amount; and of the specie, more than 32,900 dollars have been paid since the beginning of the year 1784. In consideration of the foregoing facts and all circumstances, your committee are of opinion, that although the baron Steuben has no claims against the United States, founded on a contract, yet considering the merit and services of the baron Steuben, and the peculiarity of his situation, your committee beg leave further to report, that he be allowed at the rate of \_\_\_\_\_ dollars per annum, during his natural life.

A motion was made by Mr. Hamilton, seconded by Mr. Lee, that the said report be committed; and on the question for commitment, the yeas and nays being required by Mr. Gilman,

<i>New-Hampshire,</i>	Mr. Gilman,	ay	} divided.
	Mr. Wingate,	no	
<i>Massachusetts,</i>	Mr. Sedgwick,	ay	} ay
	Mr. Dane,	ay	
	Mr. Thatcher,	ay	
<i>Connecticut,</i>	Mr. Huntington,	ay	} ay
	Mr. Wadsworth,	ay	
<i>New-York,</i>	Mr. Hamilton,	ay	} ay
	Mr. Gansevoort,	ay	
	Mr. Yates,	no	
<i>New-Jersey,</i>	Mr. Dayton,	ay	*
<i>Pennsylvania,</i>	Mr. Irwine,	ay	} ay
	Mr. Meredith,	ay	
	Mr. Bingham,	ay	
<i>Delaware,</i>	Mr. Kearny,	ay	} ay
	Mr. Mitchell,	ay	
<i>Maryland,</i>	Mr. Ross,	ay	*
<i>Virginia,</i>	Mr. Griffin,	ay	} ay
	Mr. Madison,	ay	
	Mr. Carrington,	ay	
<i>North-Carolina,</i>	Mr. Lee,	ay	} ay
	Mr. Williamson,	ay	
<i>South-Carolina,</i>	Mr. Swann,	no	} divided.
	Mr. Parker,	ay	
<i>Georgia,</i>	Mr. Tucker,	ay	} ay
	Mr. Few,	ay	
	Mr. Baldwin,	ay	

So it was resolved in the affirmative.

TUESDAY, August 26, 1788.

Congress assembled: Present, New-Hampshire, Massachusetts, Con-

Connecticut, New-York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina and Georgia.

A motion being made by Mr. Sedgwick, seconded by Mr. Clarke, in the words following:

Whereas the federal government assembled in Philadelphia, pursuant to a resolution of Congress of the 21st of February, 1787, did, on the 17th of September last, report to the United States in Congress assembled, a form of government: And whereas the said form of government hath been adopted in the manner therein declared necessary for the ratification thereof, and thereby become the constitution of the states adopting the same: *Resolved*, That the city of New-York, in the state of New-York, being the seat of the present federal government, be the place for commencing proceedings under the said constitution. *Resolved*, That the first Wednesday in January next, be the day for appointing electors in the several states, which before that time shall have adopted the said constitution; that the first Wednesday in February next, be the day for the said electors to assemble in their respective states, and vote for a president; and that the first Wednesday in March next, be the time for commencing proceedings under the constitution aforesaid.

The first resolution being under debate, a motion was made by Mr. Kearny, seconded by Mr. Mitchell, to strike out the words "the city of New-York, in the state of New-York, being the seat of the present federal government," and in lieu thereof to insert "Wilmington, in the state of Delaware:" And on the question to agree to this amendment, the yeas and nays being required by Mr. Kearny,

<i>New-Hampshire,</i>	Mr. Gilman,	no	}	no
	Mr. Wingate,	no		
<i>Massachusetts,</i>	Mr. Sedgwick,	ay	}	no
	Mr. Dane,	no		
	Mr. Thatcher,	no	}	na
<i>Connecticut,</i>	Mr. Huntington,	no		
	Mr. Wadsworth,	no	}	na
<i>New-York,</i>	Mr. Hamilton,	no		
	Mr. Gansevoort,	no	}	no
<i>New-Jersey,</i>	Mr. Clarke,	no		
	Mr. Dayton,	no	}	ay
<i>Pennsylvania,</i>	Mr. Irvine,	ay		
	Mr. Meredith,	ay	}	ay
	Mr. Bingham,	ay		
	Mr. Read,	ay	}	ay
<i>Delaware,</i>	Mr. Kearny,	ay		
	Mr. Mitchell,	ay	}	ay
<i>Maryland,</i>	Mr. Seney,	ay		
	Mr. Ross,	ay	}	ay
<i>Virginia,</i>	Mr. Griffin,	ay		
	Mr. Madison,	ay	}	ay
	Mr. Carrington,	ay		
<i>South-Carolina,</i>	Mr. Huger,	no	}	no
	Mr. Parker,	no		
	Mr. Tucker,	no		

Georgia, Mr. Few, no } divided.  
 Mr. Baldwin, ay }

So the question was lost.

On the question to agree to the resolution as moved, the yeas and nays being required by Mr. Sedgwick,

New-Hampshire,	Mr. Gilman,	ay	}	ay
	Mr. Wingate,	ay		
Massachusetts,	Mr. Sedgwick,	ay	}	ay
		Mr. Dane,		
Connecticut,	Mr. Thatcher,	ay	}	ay
		Mr. Huntington,		
New-York,	Mr. Wadsworth,	ay	}	ay
		Mr. Hamilton,		
New-Jersey,	Mr. Gansevoort,	ay	}	ay
		Mr. Clarke,		
Pennsylvania,	Mr. Dayton,	ay	}	no
	Mr. Irwine,	no		
	Mr. Meredith,	no		
	Mr. Bingham,	no		
Delaware,	Mr. Read,	no	}	no
	Mr. Kearny,	no		
Maryland,	Mr. Mitchell,	no	}	no
	Mr. Seney,	no		
Virginia,	Mr. Ross,	no	}	no
	Mr. Griffin,	no		
South-Carolina,	Mr. Madison,	no	}	no
	Mr. Carrington,	no		
	Mr. Huger,	ay		
Georgia,	Mr. Parker,	ay	}	divided.
	Mr. Tucker,	ay		
	Mr. Few,	ay		
	Mr. Baldwin,	no		

So the question was lost.

WEDNESDAY, August 27, 1788.

Congress assembled: Present, Massachusetts, New-York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia, South-Carolina and Georgia; and from New-Hampshire, Mr. Wingate, from Connecticut, Mr. Huntington, and from North-Carolina, Mr. Williamson.

On the report of a committee, consisting of Mr. Williamson, Mr. Wingate, Mr. Dane, Mr. Few and Mr. Mitchell, to whom was referred a memorial of Jesse Lawrence, complaining of trespasses committed on him at the island of Sable, by citizens of Massachusetts,

Resolved, That the memorial of Jesse Lawrence be referred to the executive of Massachusetts, and in case the said Lawrence shall produce such evidence as may substantiate his allegations to the satisfaction of the said executive, that they cause a fair and full enquiry to be made into the truth of the facts alleged, and such proceedings to be had against the offenders, as the law of nations and justice to the memorialist may require; and that any expenses which may be

incurred by the executive in complying with this recommendation, chargeable against the United States.

THURSDAY, August 28, 1788.

Congress assembled: Present, Massachusetts, Connecticut, New-York, New-Jersey, Pennsylvania, Delaware, Virginia, South-Carolina and Georgia; and from New-Hampshire, Mr. Wingate, and from North-Carolina, Mr. Williamson.

On motion of Mr. Kearny, seconded by Mr. Dane,

*Resolved*, That the board of treasury be, and they are hereby directed to report on the expediency of any further admission of equitable claims now barred by the resolution of the 23d day of July, 1787, and in case of such expediency, to report some general plan for that purpose.

On the report of a committee, consisting of Mr. Williamson, Mr. Otis and Mr. Baldwin, to whom was recommitted a report on the memorial of George Morgan, and sundry other papers,

*Resolved*, That the board of treasury be, and they hereby are authorized in contracting with George Morgan and his associates, or with any other person or persons, for the sale of a tract of land on the Mississippi, which is described in the act of June 20th last, to vary in the following particulars from the terms proposed in the said act, viz. A payment of 200,000 dollars shall be made on closing the contract, the remainder of the price to be paid in seven equal payments, the first of which shall be paid whenever the Indian title, if any such there is, shall be extinguished, and a survey of the tract returned to the treasury-office. The other six payments to be made half-yearly, with interest from the time in which the survey is returned. On making the first payment, entries shall be permitted on so much land as that sum is equal to, at the limited price. On making the second payment, a deed shall issue for so much land as may then be paid for, and other deeds if required shall issue on making the several payments: Provided that it is previously stipulated on what part the first deed shall be laid, and that every subsequent deed shall be for a regular tract, as nearly as may be of an equal width, extending from the Mississippi to the eastern boundary of the general purchase, and that the several deeds be for tracts in contact with one another. That in case of failure in any one of the payments stipulated for, the contract shall be considered as forfeited in all the parts thereof, which shall then remain to be carried into effect.

That instead of the three parallelograms to be reserved according to the act of the 20th June last, for donations to the ancient settlers on the west side of a certain ridge of rocks, there shall be reserved an equal quantity of land for the same use, to be laid out in three squares on the east side of the said ridge of rocks, and as near as may be to the improvements belonging to the villages of Kaskaskies, la Prairie du Rochers, and Cahokia.

That in case there are any improvements belonging to the ancient French settlers without the general reserved limits, the same shall also be considered as reserved for them in the sale now proposed to be made.



According to the order of the 5th instant, Congress proceeded to the election of a commissioner of army accounts, and, the ballots being taken,

Mr. Joseph Howell was elected; having been previously nominated by Mr. Clarke.

FRIDAY, August 29, 1788.

Congress assembled: Present, Massachusetts, New-York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina and Georgia; and from New-Hampshire, Mr. Wingate, and from Connecticut, Mr. Huntington.

On a report of the committee, consisting of Mr. Wingate, Mr. Swann, Mr. Dane, Mr. Read and Mr. Kearny, to whom was referred a motion of Mr. Kearny,

*Resolved*, That the post-master-general be, and he is hereby authorized and directed, to establish a post from Wilmington, in the state of Delaware, to the town of Dover, in the said state, as soon as may be, and that he contract for the regular transportation of the mail to and from the said places respectively, once in every week, by post-riders or otherwise: And that he further take order for the continuance of the said establishment, for one year, from the first of January next.

On a report of the board of treasury, to whom was referred a memorial of John Winton, administrator of the estate of Edmund Soper, late a purchasing commissary in the army of the United States,

*Resolved*, That the sum of  $4023\frac{34}{90}$  dollars, arising from the sale of sundry public stores, in the possession of Edmund Soper, late a purchasing commissary, at the time of his decease, be received in discharge of a balance to the said amount, due from the estate of the deceased to the United States.

On the report of a committee, consisting of Mr. Williamson, Mr. Dane, Mr. Clarke, Mr. Tucker and Mr. Baldwin, to whom was referred the report of a former committee, respecting the inhabitants of Post St. Vincent's,

*Resolved*, That measures be taken for confirming in their possessions and titles, the French and Canadian inhabitants and other settlers at Post St. Vincent's, who on or before the year 1783, had settled there, and had professed themselves citizens of the United States, or any of them, and for laying off to them at their own expense, the several tracts which they rightfully claim, and which may have been allotted to them according to the laws and usages of the government under which they have respectively settled.

That 400 acres of land to be reserved and given to every head of a family of the above description, settled at Post St. Vincent's.

That the governor of the western territory, cause to be laid out at the public expense, in the form of a square, adjoining to the present improvements at Post St. Vincent's, and in whatever direction the settlers shall prefer, a tract of land sufficient for completing the above donations; which tract shall afterwards be divided by lot among the settlers who are entitled to any part of the same, in such manner as they shall agree.

On a report of the same committee, the following instructions to the governor of the western territory were agreed to.

SIR,

You are to proceed without delay, except while you are necessarily detained by the treaty now on hands, to the French settlements on the river Mississippi, in order to give dispatch to the several measures which are to be taken according to the acts of the 20th June last, and the 28th instant, of which a copy is enclosed for your information. You are to enquire whether there be any Indians who claim the lands on the east side of the river Mississippi, above the mouth of the Ohio; and if there be any such Indians, you are immediately to take measures for holding a treaty with them, and extinguishing their claim at least to so much of the territory as you find described in the aforesaid acts, and in the several acts of October 22d, 1787, relative to lands on the Mississippi. If you find it cheapest and best to extinguish the claim of those Indians by agreeing to furnish them annually with a certain allowance in corn, or other provisions for a term not exceeding ten years, you will contract accordingly.

When you have examined the titles and possessions of the settlers on the Mississippi, in which they are to be confirmed, and given directions for laying out the several squares, which the settlers may divide as they shall think best among themselves by lot, you are to report the whole of your proceedings to Congress.

After you have dispatched the several matters committed to your care on the Mississippi, you will take Post St. Vincent's on your return, where you are to pursue the measures directed to be taken by the act of this day, and report your proceedings accordingly.

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*MONDAY, September 1, 1788.*

Congress assembled: Present, Massachusetts, Connecticut, New-York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina and Georgia; and from New-Hampshire, Mr. Wingate.

On the report of a committee, consisting of Mr. Henry, Mr. St. Clair, and Mr. Johnson, to whom were referred an account of capt. Allen M'Lane, and a letter touching the same, from the commissioner of army accounts.

*Resolved,* That the accounts of capt. Allen M'Lane be referred to the commissioner of army accounts, to be settled on the same principles as are all other accounts similarly circumstanced.

On the report of a committee, consisting of Mr. Sedgwick, Mr. Clarke and Mr. Carrington, to whom was referred a memorial of Ann Ledyard, widow of col. Ledyard, late an officer in the service of the state of Connecticut,

*Resolved,* That Ann Ledyard have leave to withdraw her memorial, a compliance with the prayer thereof being inadmissible.

On the report of a committee, consisting of Mr. Dane, Mr. Williamson, Mr. Clarke, Mr. Madison and Mr. Seney, to whom was referred a letter of the 4th August, from his excellency the governor of Virginia,

*Resolved,* That the executive of the state of Virginia be informed, that the act of Congress of the 17th July last was not meant, nor is so to be interpreted, as to infringe any stipulation in the cession made by

Virginia to the United States ; and that it is not the intention of Congress to take any further measures at present respecting the lands between the Sciota and Little Miami, but to allow a reasonable time for the returns mentioned in the act of Congress aforesaid, and for all other measures which may be requisite for ascertaining and carrying into effect, on fair and liberal principles, the intentions of the parties to the said act of cession.

On the report of a committee, consisting of Mr. Dane, Mr. Madison, Mr. Clarke, Mr. Irwine and Mr. Benson, to whom were referred a report of the secretary at war, relative to certain intrusions on the hunting grounds of the Cherokees, Congress agreed to the following proclamation and resolutions :

A PROCLAMATION.

WHEREAS the United States in Congress assembled, by their commissioners duly appointed and authorized, did, on the 28th day of November, 1785, at Hopewell, on the Keowee, conclude articles of a treaty with all the Cherokees, and among other things stipulated and engaged by article 4th, "That the boundary allotted to the Cherokees for their hunting grounds, between the said Indians and the citizens of the United States, within the limits of the United States of America, is, and shall be the following, viz. "Beginning at the mouth of Duck river, on the Tennessee ; thence running north-east to the ridge dividing the waters running into Cumberland from those running into the Tennessee ; thence eastwardly along the said ridge to a north-east line to be run, which shall strike the river Cumberland, 45 miles above Nashville ; thence along the said line to the river ; thence up the said river to the ford where the Kentucky road crosses the river ; thence to Campbell's line, near to Cumberland Gap ; thence to the mouth of Claud's creek, on Holstein ; thence to the Chimney-Top mountain ; thence to Camp-creek, near the mouth of Big Lime Stone, on Nolichukey ; thence a southerly course six miles to a mountain ; thence south to the North-Carolina line ; thence to the South-Carolina Indian boundary, and along the same south-west over the top of the Oconee mountain, till it shall strike Tugoloo river ; thence a direct line to the top of the Currohee mountain ; thence to the head of the south fork of the Oconee river." And by article 5th, that "If any citizen of the United States, or other person not being an Indian, should attempt to settle on any of the lands westward or southward of the said boundary, which were allotted to the Indians for their hunting grounds, or having settled previously to concluding the said treaty, and not removing from the same, within six months after the ratification of the said treaty, such person should forfeit the protection of the United States, and that the Indians might punish him or not as they please ; provided, that the said 5th article should not extend to the people settled between the fork of French Broad and Holstein rivers, whose particular situation should be transmitted to the United States in Congress assembled, for their decision thereon, which the Indians agreed to abide by." And whereas it has been represented to Congress, that several disorderly persons settled on the frontiers of North-Carolina, in the vicinity of Chota, have, in open violation of the said

treaty, made intrusions upon the said Indian hunting grounds, and committed many unprovoked outrages upon the said Cherokees, who by the said treaty have put themselves under the protection of the United States, which proceedings are highly injurious and disrespectful to the authority of the union, and it being the firm determination of Congress to protect the said Cherokees in their rights, according to the true intent and meaning of the said treaty; the United States in Congress assembled, have therefore thought fit to issue, and they do hereby issue this their proclamation, strictly forbidding all such unwarrantable intrusions, and hostile proceedings against the said Cherokees; and enjoining all those who have settled upon the said hunting grounds of the said Cherokees, to depart with their families and effects without loss of time, as they shall answer their disobedience to the injunctions and prohibitions expressed in this resolution at their peril: Provided, that this proclamation shall not be construed as requiring the removal of the people settled between the fork of French Broad and Holstein rivers, referred to in the said treaty: Provided also, that nothing contained in this proclamation shall be considered as affecting the territorial claims of the state of North-Carolina. Done, &c.

*Resolved*, That the secretary at war be, and he is hereby directed, to have a sufficient number of the troops in the service of the United States, in readiness to march from the Ohio, to the protection of the Cherokees, whenever Congress shall direct the same; and that he take measures for obtaining information of the best routes for troops to march from the Ohio to Chota; and for dispersing among all the white inhabitants settled upon or in the vicinity of the hunting grounds, secured to the Cherokees by the treaty concluded between them and the United States, November 28, 1785, the proclamation of Congress of this date.

*Resolved*, That copies of the said proclamation, and of these resolutions be transmitted to the executives of Virginia and North-Carolina; and that the said states be, and they are hereby requested to use their influence that the said proclamation may have its intended effect, to restore peace and harmony between the citizens of the United States and the Cherokees, and to prevent any further invasions of their respective rights and possessions, and in case Congress shall find it necessary to order troops to the Cherokee towns, to enforce a due observance of the said treaty, that the said states be, and they are hereby requested to co-operate with the said troops for enforcing such observance of that treaty.

*Resolved*, That the papers which have been transmitted to Congress, concerning certain hostilities alleged to have been committed by John Sevier and others, on the Cherokee Indians at Chota, be referred to the executive of North-Carolina, and that the said executive be, and they hereby are earnestly requested to cause enquiry to be made into the said hostilities, and to take measures for having the perpetrators thereof apprehended and punished.

TUESDAY, September 2, 1788.

Congress assembled: Present as yesterday.

A motion was made by Mr. Clarke, seconded by Mr. Sedgwick, in the words following, viz.

Whereas the convention assembled in Philadelphia, pursuant to the resolution of Congress of the 21st of February, 1787, did, on the 17th day of September, in the same year, report to the United States in Congress assembled, a constitution or form of government for the people of the United States; whereupon Congress, on the 28th day of the same September, did resolve unanimously, that the said report, with the resolutions and letter accompanying the same, be transmitted to the several legislatures, in order to be submitted to a convention of delegates, chosen in each state by the people thereof, in conformity to the resolves of the convention, made and provided in that case: And whereas the constitution so reported by the convention, and by Congress transmitted to the several legislatures, has been ratified in the manner therein declared to be sufficient for the establishment of the same, and such ratifications, duly authenticated, have been received by Congress, and are filed in the office of the secretary thereof; therefore *Resolved*, That the first Wednesday in January next, be the day for appointing electors in the several states, which, before the said day, shall have ratified the said constitution; that the first Wednesday in February next, be the day for the electors to assemble in their respective states to vote for a president; and that the first Wednesday in March next be the time, and the seat of the federal government at that time, the place for commencing proceedings under the said constitution.

On the question to agree to this resolution, the yeas and nays being required by Mr. Sedgwick,

<i>New-Hampshire,</i>	Mr. Wingate,	ay	}	*
	Mr. Sedgwick,	ay		
<i>Massachusetts,</i>	Mr. Dane,	ay	}	ay
	Mr. Thatcher,	ay		
	Mr. Huntington,	ay		
<i>Connecticut,</i>	Mr. Edwards,	no	}	divided.
	Mr. Hamilton,	ay		
<i>New-York,</i>	Mr. Gansevoort,	ay	}	ay
	Mr. Clarke,	ay		
<i>New-Jersey,</i>	Mr. Dayton,	ay	}	ay
	Mr. Irwine,	no		
<i>Pennsylvania,</i>	Mr. Meredith,	no	}	no
	Mr. Bingham,	no		
	Mr. Read,	no		
<i>Delaware,</i>	Mr. Kearny,	no	}	no
	Mr. Mitchell,	no		
<i>Maryland,</i>	Mr. Seney,	no	}	no
	Mr. Ross,	no		
<i>Virginia,</i>	Mr. Griffin,	no	}	no
	Mr. Madison,	no		
	Mr. Carrington,	no		
<i>South-Carolina,</i>	Mr. Huger,	ay	}	ay
	Mr. Parker,	ay		
	Mr. Tucker,	ay		
<i>Georgia,</i>	Mr. Few,	ay	}	divided.
	Mr. Baldwin,	no		

So the question was lost.

A motion was then made by Mr. Edwards, seconded by Mr. Sedgwick, in the words following :

Whereas the convention assembled in Philadelphia, pursuant to the resolution of Congress of the 21st of February, 1787, did, on the 17th day of September, in the same year, report to the United States in Congress assembled, a constitution or form of government for the people of the United States ; whereupon Congress, on the 28th day of the same September, did resolve unanimously, that the said report, with the resolutions and letter accompanying the same, be transmitted to the several legislatures, in order to be submitted to a convention of delegates, chosen in each state by the people thereof, in conformity to the resolves of the convention, made and provided in that case : And whereas the constitution so reported by the convention, and by Congress transmitted to the several legislatures, has been ratified in the manner therein declared to be sufficient for the establishment of the same, and such ratifications duly authenticated have been received by Congress, and are filed in the office of the secretary thereof ; therefore *Resolved*, That the first Wednesday in January next, be the day for appointing electors in the several states, which before the said day shall have ratified the said constitution ; that the first Wednesday in February next, be the day for the electors to assemble in their respective states to vote for a president ; and that the first Wednesday in March next, be the time for commencing proceedings under the said constitution.

A motion was made by Mr. Irwine, seconded by Mr. Bingham, to amend the motion before the house, by inserting after the word " time," the following words, viz. " and that Lancaster be the place." And on the question to agree to this amendment, the yeas and nays being required by Mr. Bingham,

<i>Massachusetts,</i>	Mr. Sedgwick,	no	} no
	Mr. Dane,	no	
	Mr. Thatcher,	ay	
<i>Connecticut,</i>	Mr. Huntington,	no	} divided.
	Mr. Edwards,	ay	
	Mr. Hamilton,	no	
<i>New-York,</i>	Mr. Gansevoort,	no	} no
	Mr. Clarke,	no	
<i>New-Jersey,</i>	Mr. Dayton,	no	} no
	Mr. Irwine,	ay	
<i>Pennsylvania,</i>	Mr. Meredith,	ay	} ay
	Mr. Bingham,	ay	
	Mr. Read,	ay	
<i>Delaware,</i>	Mr. Kearny,	ay	} ay
	Mr. Mitchell,	ay	
<i>Maryland,</i>	Mr. Seney,	ay	} ay
	Mr. Ross,	ay	
<i>Virginia,</i>	Mr. Griffin,	ay	} ay
	Mr. Madison,	ay	
	Mr. Carrington,	ay	
	Mr. Lee,	ay	

South-Carolina,	Mr. Huger,	no	}	no
	Mr. Parker,	no		
	Mr. Tucker,	no		
Georgia,	Mr. Few,	no	}	divided.
	Mr. Baldwin,	ay		

So the question was lost.

WEDNESDAY, September 3, 1788.

Congress assembled: Present, Massachusetts, Connecticut, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina and Georgia; and from New-Hampshire, Mr. Wingate, and from New-York, Mr. Yates.

On a report of a committee, consisting of Mr. Clarke, Mr. Williamson and Mr. Madison, to whom was referred a memorial of John Etwein, of Bethlehem, president of the Brethrens society for propagating the gospel among the heathen:

Whereas the United States in Congress assembled, by their ordinance of the 20th May, 1785, among other things ordained, that the towns of Gnaden-hutten, Shoenbrun and Salem, with lands adjoining to the said towns, be reserved for the sole use of the Christian Indians, who were formerly settled there, or the remains of that society; and by an act of the 27th July, 1787, directed the board of treasury to accept and reserve out of any contract they might make pursuant to an order of the 23d of the same month, a quantity of land around and adjoining to each of the before-mentioned towns, amounting in the whole to 10,000 acres, and ordered the property of the said towns and reserved lands to be vested in the Moravian Brethren at Bethlehem, in Pennsylvania, or the society of the said brethren for civilizing the Indians, and promoting christianity (or as they are called, the society of the United Brethren for propagating the gospel among the heathen) in trust and for the uses expressed in the said ordinance, including others, as mentioned in the said act of 27th July, 1787; and whereas it has been agreed that the plat of each of the towns should be estimated at  $666\frac{2}{3}$  acres, so that each town and the reserved land adjoining shall make a tract of 4000 acres; and whereas the remnant of the said Christian Indians are desirous of returning to their towns as speedily as possible, and the United Brethren, to facilitate this without loss of time, have offered to advance the expenses of surveying the three tracts, on condition they be re-paid either in money or land.

Ordered, That the geographer of the United States, survey, or cause to be surveyed, as speedily as possible, without interfering with the business he is sent to execute, the three tracts of Gnaden-hutten, Shoenbrun and Salem, on the Muskingum, including the reserved land adjoining each of the said towns, and return plats thereof to the board of treasury, that deeds may be issued for the same, as is mentioned above; and that he also survey or cause to be surveyed, the intermediate spaces, if any there be, between the said three tracts, and return plats thereof, with an account of the expense, to the board of treasury; and that the said board, provided it can be done without infringing any contract they may have already made, convey the same to

the said United Brethren, or the society of the said brethren, for propagating the gospel among the heathen, upon their paying for the said intermediate space or spaces when the said survey shall be returned by the geographer, at the rate at which such lands are granted to others, and also the expenses attending the surveying and plotting the said spaces, deducting the sum advanced for surveying the three tracts, provided, that in case any of the above-mentioned lands shall fall within the supposed bounds of the 1,000,000 of acres reserved for the late army, that the said bounds shall be understood to extend so far to the westward, as to include the 1,000,000 of acres exclusive of the above-mentioned lands.

The motion which was yesterday made by Mr. Edwards, seconded by Mr. Sedgwick, being again moved and read,

A motion was made by Mr. Seney, seconded by Mr. Ross, to amend the same, by inserting the words, "and that the city of Annapolis, in the state of Maryland," be the place, immediately after the words "be the time." And on the question to agree to this amendment, the yeas and nays being required by Mr. Seney,

<i>New-Hampshire,</i>	Mr. Wingate,	no	}	*
<i>Massachusetts,</i>	Mr. Sedgwick,	no		
	Mr. Dane,	no	}	no
<i>Connecticut,</i>	Mr. Huntington,	no		
	Mr. Edwards,	no	}	no
<i>New-York,</i>	Mr. Yates,	no		
<i>New-Jersey,</i>	Mr. Clarke,	no	}	*
	Mr. Dayton,	no		
<i>Pennsylvania,</i>	Mr. Meredith,	ay	}	ay
	Mr. Armstrong,	ay		
	Mr. Bingham,	ay		
	Mr. Read,	no	}	divided.
<i>Delaware,</i>	Mr. Kearny,	no		
	Mr. Mitchell,	ay	}	ay
<i>Maryland,</i>	Mr. Seney,	ay		
	Mr. Ross,	ay	}	ay
<i>Virginia,</i>	Mr. Griffin,	no		
	Mr. Madison,	no	}	no
	Mr. Carrington,	no		
<i>South-Carolina,</i>	Mr. Huger,	no	}	no
	Mr. Parker,	no		
	Mr. Tucker,	no		
<i>Georgia,</i>	Mr. Few,	ay	}	divided.
	Mr. Baldwin,	no		

So the question was lost.

\*  
THURSDAY, September 4, 1788.

Congress assembled: Present, New-Hampshire, Massachusetts, Connecticut, New-York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina and Georgia.

The motion made by Mr. Edwards, seconded by Mr. Sedgwick, being again moved and read, a motion was made by Mr. Tucker,



seconded by Mr. Huger, that the same be postponed, in order to take up the following, viz.

Whereas after long deliberation on the subject of the new constitution, so far as the agency of Congress is required to give it effect, there appears to be a diversity of sentiment, with respect to the place for commencing proceedings under the said constitution, which may prevent a speedy and definite decision thereon; and whereas a further delay of the other essential parts of this business might be productive of much national inconvenience, therefore *Resolved*, That the first Wednesday in January next, be the time for appointing electors in the several states, which before the said day shall have ratified the said constitution; that the first Wednesday in February next, be the day for the electors to assemble in their respective states, and vote for a president; and that the first Wednesday in March next, be the time for commencing proceedings under the said constitution, at such place as Congress shall hereafter appoint, or failing such appointment, at the place which shall immediately before the last mentioned day, be the seat of Congress.

On the question to postpone for the purpose above-mentioned, the yeas and nays being required by Mr. Tucker,

<i>New-Hampshire,</i>	Mr. Gilman,	ay	}	ay
	Mr. Wingate,	ay		
<i>Massachusetts,</i>	Mr. Dane,	ay	}	ay
	Mr. Tbatcher,	ay		
<i>Connecticut,</i>	Mr. Huntington,	ay	}	ay
	Mr. Edwards,	ay		
<i>New-York,</i>	Mr. Gansevoort,	ay	}	ay
	Mr. Yates,	ay		
<i>New-Jersey,</i>	Mr. Clarke,	ay	}	ay
	Mr. Dayton,	ay		
<i>Pennsylvania,</i>	Mr. Irwine,	no	}	no
	Mr. Meredith,	no		
	Mr. Bingham,	no		
	Mr. Read,	no		
<i>Delaware,</i>	Mr. Kearny,	no	}	no
	Mr. Mitchell,	no		
<i>Maryland,</i>	Mr. Seney,	no	}	no
	Mr. Ross,	no		
<i>Virginia,</i>	Mr. Griffin,	no	}	no
	Mr. Madison,	no		
	Mr. Carrington,	no		
<i>South-Carolina,</i>	Mr. Lee,	ay	}	ay
	Mr. Huger,	ay		
	Mr. Parker,	ay		
	Mr. Tucker,	ay		
<i>Georgia,</i>	Mr. Few,	ay	}	divided.
	Mr. Baldwin,	no		

So the question was lost.

On the question to agree to the motion of Mr. Edwards, as entered on the journal of Tuesday last, the yeas and nays being required by Mr. Gilman and Mr. Huger,

<i>New-Hampshire,</i>	Mr. Gilman,	ay	}	ay
	Mr. Wingate,	ay		
<i>Massachusetts,</i>	Mr. Dane,	ay	}	ay
	Mr. Thatcher,	ay		
<i>Connecticut,</i>	Mr. Huntington,	ay	}	ay
	Mr. Edwards,	ay		
<i>New-York,</i>	Mr. Gansevoort,	ay	}	ay
	Mr. Yates,	ay		
<i>New-Jersey,</i>	Mr. Clarke,	ay	}	ay
	Mr. Dayton,	ay		
<i>Pennsylvania,</i>	Mr. Irwine,	no	}	no
	Mr. Meredith,	no		
	Mr. Bingham,	no		
	Mr. Read,	no		
<i>Delaware,</i>	Mr. Kearny,	no	}	no
	Mr. Mitchell,	no		
<i>Maryland,</i>	Mr. Seney,	no	}	no
	Mr. Ross,	no		
<i>Virginia,</i>	Mr. Griffin,	no	}	no
	Mr. Madison,	no		
	Mr. Carrington,	no		
	Mr. Lee,	ay	}	ay
<i>South-Carolina,</i>	Mr. Huger,	ay		
	Mr. Parker,	ay	}	ay
	Mr. Tucker,	ay		
<i>Georgia,</i>	Mr. Few,	no	}	no
	Mr. Baldwin,	no		

So the question was lost.

On motion, *Ordered*, That the election of the board, consisting of three commissioners, pursuant to the ordinance of the 7th May, 1787, entitled an ordinance for settling accounts between the United States and individual states, be the order of the day for Tuesday next.

On motion of Mr. Clarke, seconded by Mr. Kearny,

*Resolved*, That the duties of pay-master-general having been united with those of the commissioner of army accounts, by an act of Congress of the 23d March, 1787, the present commissioner is entitled by former resolutions of Congress as pay-master-general, to send and receive all letters respecting the business of said offices free of postage.

On a report of a committee, consisting of Mr. Dane, Mr. Sedgwick and Mr. Madison, to whom was referred a motion of the delegates of Pennsylvania:

Whereas it appears that the board of treasury, in conformity to the act of Congress of the 6th of June last, have entered into a contract with the delegates of the state of Pennsylvania, in behalf of the said state, for the tract of land bounded east, agreeably to the cession of western territory, by the states of Massachusetts and New-York, south by Pennsylvania, north and west, by lake Erie; and whereas the said tract is entirely separated from the other lands of the western territory, over which the jurisdiction of the United States extends: And whereas under these circumstances, it will be expedient for the state of

Pennsylvania to hold and exercise jurisdiction over the tract aforesaid ; therefore,

*Resolved*, That the United States do hereby relinquish and transfer all their right, title and claim to the government and jurisdiction of the said tract of land, to the state of Pennsylvania, forever. And it is hereby declared and made known, that the laws and public acts of the said state shall extend over every part of the same tract, to all intents and purposes, as if the same had been originally within the charter bounds of the said state ; provided that the inhabitants of the said tract shall be maintained in all the rights and privileges which other citizens of the said state of Pennsylvania are now or may hereafter be constitutionally entitled to enjoy.

FRIDAY, September 5, 1788.

Congress assembled : Present as yesterday.

On the report of a committee, consisting of Mr. Wingate, Mr. Hunger and Mr. Armstrong, to whom were referred sundry letters and memorials from John Story,

*Resolved*, That John Story be allowed the sum of 603 $\frac{25}{100}$  dollars, in full consideration of all his past services and claims, and that the board of treasury take order to settle with him accordingly.

MONDAY, September 8, 1788.

Congress assembled : Present, New-Hampshire, Massachusetts, Connecticut, New-York, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina and Georgia ; and from Rhode-Island, Mr. Arnold.

TUESDAY, September 9, 1788.

Congress assembled : Present, New-Hampshire, Massachusetts, Connecticut, New-York, New-Jersey, Pennsylvania, Delaware, Virginia, North-Carolina, South-Carolina and Georgia ; and from Rhode-Island, Mr. Arnold.

According to the order of the day, Congress proceeded to the election of three commissioners, pursuant to the ordinance of the 7th May, 1787, and, the ballots being taken, the two following were elected :

Mr. W. Irwine, having been previously nominated by Mr. Armstrong.

Mr. John Taylor Gilman, having been nominated by Mr. Wingate.

*Ordered*, That the election of the third be postponed till to-morrow.

WEDNESDAY, September 10, 1788.

Congress assembled : Present as yesterday.

THURSDAY, September 11, 1788.

Congress assembled : Present as before.

On motion of the delegates of Virginia,

*Ordered*, That the said delegates have leave to transmit to the executive of the said state, a copy of the report of the board of treasury, made the 10th inst. relative to the admission of the books of

the treasurer and auditor, as authentic documents for certain advances of money on account of the United States.

FRIDAY, September 12, 1788.

Congress assembled: Present as before.

On a report of the board of treasury, to whom was referred a memorial of Donald Campbell,

*Resolved*, That the prayer of the memorial of Donald Campbell, of the 1st instant, cannot be complied with.

A motion being made by Mr. Lee, seconded by Mr. Gilman, in the words following:

Whereas longer delay, in executing the previous arrangements necessary to put into operation the federal government, may produce national injury, *Resolved*, That the first Wednesday in January next, be the time for appointing electors in the several states, which before the said day shall have ratified the said constitution; and that the first Wednesday in February next, be the day for the electors to assemble in their respective states, and vote for a president; and that the first Wednesday in March next, be the time, and the present seat of Congress, the place for commencing proceedings under the said constitution.

A motion was made by Mr. Carrington, seconded by Mr. Madison, to amend the proposition by striking out the words "and the present seat of Congress be the place," and by adding, "And whereas it is of great importance, that a government, founded on the principles of conciliation and impartial regard to the interests and accommodation of the several parts of the union, should commence in a spirit corresponding with these principles, and under every circumstance calculated to prevent jealousies in one part of the union, of undue bias in the public councils or measures towards another part; and it is conceived that these desirable purposes will be much favored by the appointment of some place for the meeting of the new government, more central than the present seat of Congress, and which will at the same time be more likely to obviate disagreeable and injurious discussions concerning the place most fit for the seat of federal business, until a permanent seat be established as provided for by the new constitution: *Resolved*, That \_\_\_\_\_ be the place for commencing proceedings under the new constitution."

On the question to agree to this amendment, the yeas and nays being required by Mr. Gilman,

New-Hampshire,	Mr. Gilman,	no	}	no
	Mr. Wingate,	no		
Massachusetts,	Mr. Dane,	no	}	no
	Mr. Thatcher,	no		
Connecticut,	Mr. Huntington,	no	}	no
	Mr. Wadsworth,	no		
	Mr. Edwards,	ay		
New-York,	Mr. Hamilton,	no	}	no
	Mr. Gansevoort,	no		
New-Jersey,	Mr. Clarke,	no	}	no
	Mr. Dayton,	no		

Pennsylvania,	Mr. Irwine,	ay	} ay
	Mr. Meredith,	ay	
	Mr. Read,	ay	
Delaware,	Mr. Kearny,	ay	} ay
	Mr. Mitchell,	ay	
Virginia,	Mr. Griffin,	ay	} ay
	Mr. Madison,	ay	
	Mr. Carrington,	ay	
South-Carolina,	Mr. Lee,	no	} no
	Mr. Huger,	no	
	Mr. Parker,	no	
	Mr. Tucker,	no	
Georgia,	Mr. Few,	no	} divided.
	Mr. Baldwin,	ay	

So the question was lost.

A motion was then made by Mr. Kearny, seconded by Mr. Mitchell, to strike out the words "and the present seat of Congress the place," and on the question, shall those words stand? the yeas and nays being required by Mr. Mitchell,

New-Hampshire,	Mr. Gilman,	ay	} ay
	Mr. Wingate,	ay	
Massachusetts,	Mr. Dane,	ay	} ay
	Mr. Thatcher,	ay	
Connecticut,	Mr. Huntington,	ay	} ay
	Mr. Wadsworth,	ay	
	Mr. Edwards,	ay	
New-York,	Mr. Hamilton,	ay	} ay
	Mr. Gansevoort,	ay	
New-Jersey,	Mr. Clarke,	ay	} ay
	Mr. Dayton,	ay	
Pennsylvania,	Mr. Irwine,	ay	} ay
	Mr. Meredith,	ay	
	Mr. Armstrong,	ay	
	Mr. Read,	no	
Delaware,	Mr. Kearny,	no	} no
	Mr. Mitchell,	no	
	Mr. Griffin,	ay	
Virginia,	Mr. Madison,	ay	} ay
	Mr. Carrington,	ay	
	Mr. Lee,	ay	
South-Carolina,	Mr. Huger,	ay	} ay
	Mr. Parker,	ay	
	Mr. Tucker,	ay	
Georgia,	Mr. Few,	ay	} ay
	Mr. Baldwin,	ay	

So it was resolved in the affirmative.

The motion being then amended to read as follows: Whereas the convention assembled in Philadelphia, pursuant to the resolution of Congress of the 21st February, 1787, did, on the 17th of September, in the same year, report to the United States in Congress assembled,

a constitution for the people of the United States: Whereupon Congress, on the 28th of the same September, did resolve unanimously, "That the said report, with the resolutions and letter accompanying the same, be transmitted to the several legislatures, in order to be submitted to a convention of delegates chosen in each state by the people thereof, in conformity to the resolves of the convention made and provided in that case." And whereas the constitution so reported by the convention, and by Congress transmitted to the several legislatures, has been ratified in the manner therein declared to be sufficient for the establishment of the same, and such ratifications, duly authenticated, have been received by Congress, and are filed in the office of the secretary, therefore, *Resolved*, That the first Wednesday in January next, be the day for appointing electors in the several states, which, before the said day, shall have ratified the said constitution; that the first Wednesday in February next, be the day for the electors to assemble in their respective states, and vote for a president; and that the first Wednesday in March next, be the time, and the present seat of Congress the place for commencing proceedings under the said constitution.

When the question was about to be put, the determination thereof was postponed till to-morrow, by the state of Delaware.

SATURDAY, September 13, 1788.

Congress assembled: Present, New-Hampshire, Massachusetts, Connecticut, New-York, New-Jersey, Pennsylvania, Virginia, North-Carolina, South-Carolina and Georgia; and from Rhode-Island, Mr. Arnold, and from Delaware, Mr. Kearny.

On the question to agree to the proposition which was yesterday postponed by the state of Delaware, the yeas and nays being required by Mr. Gilman,

<i>New-Hampshire,</i>	Mr. Gilman,	ay	} ay
	Mr. Wingate,	ay	
<i>Massachusetts,</i>	Mr. Dane,	ay	} ay
	Mr. Thatcher,	ay	
<i>Connecticut,</i>	Mr. Huntington,	ay	} ay
	Mr. Wadsworth,	ay	
<i>New-York,</i>	Mr. Hamilton,	ay	} ay
	Mr. Gansevoort,	ay	
<i>New-Jersey,</i>	Mr. Clarke,	ay	} ay
	Mr. Dayton,	ay	
<i>Pennsylvania,</i>	Mr. Irwine,	ay	} ay
	Mr. Meredith,	ay	
	Mr. Armstrong,	ay	
	Mr. Read,	ay	} ay
<i>Virginia,</i>	Mr. Griffin,	ay	
	Mr. Madison,	ay	
	Mr. Carrington,	ay	} ay
	Mr. Lee,	ay	
<i>South-Carolina,</i>	Mr. Parker,	ay	
	Mr. Tucker,	ay	} ay

Georgia,

Mr. Few,

ay }  
ay } ay

Mr. Baldwin,

So it was resolved in the affirmative as follows :

Whereas the convention assembled in Philadelphia, pursuant to the resolution of Congress of the 21st of February, 1787, did, on the 17th of September in the same year, report to the United States in Congress assembled, a constitution for the people of the United States ; whereupon Congress, on the 28th of the same September, did resolve unanimously, " That the said report, with the resolutions and letter accompanying the same, be transmitted to the several legislatures, in order to be submitted to a convention of delegates, chosen in each state by the people thereof, in conformity of the resolves of the convention made and provided in that case : " And whereas the constitution so reported by the convention, and by Congress transmitted to the several legislatures, has been ratified in the manner therein declared to be sufficient for the establishment of the same, and such ratifications, duly authenticated, have been received by Congress, and are filed in the office of the secretary ; therefore,

*Resolved*, That the first Wednesday in January next, be the day for appointing electors in the several states, which, before the said day, shall have ratified the said constitution ; that the first Wednesday in February next, be the day for the electors to assemble in their respective states, and vote for a president ; and that the first Wednesday in March next, be the time, and the present seat of Congress the place for commencing proceedings under the said constitution.

Congress proceeded to the election of the third commissioner to form a board pursuant to the ordinance of the 7th May, 1787 ; and, the ballots being taken,

Mr. Abraham Baldwin was elected, having been previously nominated by Mr. Edwards.

MONDAY, September 15, 1788.

Congress assembled : Present, Massachusetts, Connecticut, New-York, Pennsylvania, Virginia, North-Carolina, South-Carolina and Georgia ; and from New-Hampshire, Mr. Gilman, from Rhode-Island, Mr. Arnold, from New-Jersey, Mr. Clarke, and from Delaware, Mr. Kearny.

On a report of the commissioner for settling accounts in the commissary's department, to whom was referred a memorial of Jacob Cuyler, late deputy commissary-general of purchases, praying to be relieved from a demand brought against him by David Reynolds, for a number of cattle said to have been delivered by the said Reynolds for the use of the army,

*Resolved*, That no payment or allowance be made to Mr. J. Cuyler, unless he produces vouchers for the purchase of the cattle.

TUESDAY, September 16, 1788.

Congress assembled : Present as yesterday.

On motion of Mr. Baldwin, seconded by Mr. Williamson,

*Resolved*, That it be, and it is hereby recommended to the several

states, to pass proper laws for preventing the transportation of convicted malefactors from foreign countries into the United States.

WEDNESDAY, September 17, 1788.

Congress assembled: Present as before.

THURSDAY, September 18, 1788.

Six states only attending; namely, Massachusetts, Connecticut, New-York, Virginia, North-Carolina and Georgia; and from New-Hampshire, Mr. Gilman, from Rhode-Island, Mr. Arnold, from Pennsylvania, Mr. Read, from Delaware, Mr. Kearny, and from South-Carolina, Mr. Parker; the president adjourned Congress to ten o'clock to-morrow.

FRIDAY, September 19, 1788.

Six states only attended; namely, Massachusetts, Connecticut, New-York, Virginia, North-Carolina and South-Carolina; and from New-Hampshire, Mr. Gilman, from Rhode-Island, Mr. Arnold, from Pennsylvania, Mr. Read, and from Delaware, Mr. Kearny.

MONDAY, September 22, 1788.

The same as on Friday.

TUESDAY, September 23, 1788.

Five states attended; namely, Massachusetts, Connecticut, New-York, Virginia and North-Carolina; and from New-Hampshire, Mr. Gilman, from Rhode-Island, Mr. Arnold, from New-Jersey, Mr. Dayton, from Pennsylvania, Mr. Read, from Delaware, Mr. Kearny, and from South-Carolina, Mr. Parker.

WEDNESDAY, September 24, 1788.

Six states attended; namely, Massachusetts, Connecticut, New-Jersey, Virginia, North-Carolina and South-Carolina; and from New-Hampshire, Mr. Gilman, from New-York, Mr. Yates, from Pennsylvania, Mr. Read, and from Delaware, Mr. Kearny.

THURSDAY, September 25, 1788.

Congress assembled: Present, Massachusetts, Connecticut, New-York, New-Jersey, Virginia, North-Carolina and South-Carolina; and from New-Hampshire, Mr. Gilman, from Rhode-Island, Mr. Arnold, from Pennsylvania, Mr. Read, and from Delaware, Mr. Kearny.

FRIDAY, September 26, 1788.

Six states attended; namely, Massachusetts, Connecticut, New-York, Virginia, North-Carolina and South-Carolina; and from New-Hampshire, Mr. Gilman, from Rhode-Island, Mr. Arnold, from New-Jersey, Mr. Clarke, from Pennsylvania, Mr. Read, and from Delaware, Mr. Kearny.

MONDAY, September 29, 1788.

Six states attended; namely, Massachusetts, Connecticut, New-York, Virginia, North-Carolina and South-Carolina; and from New-



Hampshire, Mr. Gilman, from Rhode-Island, Mr. Arnold, from New-Jersey, Mr. Clarke, and from Pennsylvania, Mr. Irwine.

*TUESDAY, September 30, 1788.*

Congress assembled: Present, Massachusetts, Connecticut, New-York, New-Jersey, Pennsylvania, Virginia, North-Carolina and South-Carolina; and from New-Hampshire, Mr. Gilman, from Rhode-Island, Mr. Arnold, and from Delaware, Mr. Kearny.

The committee, consisting of Mr. Clarke, Mr. Dane, Mr. Carrington, Mr. Bingham and Mr. Williamson, appointed to enquire fully into the department of finance, beg leave to observe, that the objects of that department are so various and extensive in their nature, that the time allowed to your committee from their necessary business in Congress, would not permit them to prosecute their enquiries in such a manner as to give a minute detail of all the transactions of the treasury board, and those acting under their direction: They have however proceeded as far as their time and circumstances would admit, and thereupon report,

That they have particularly examined the receipts and expenditures of the federal treasury, from November 1, 1784, the day on which the late superintendent of finance closed his accounts, to the 21st of April, 1785, the day on which the board of treasury commenced their administration, and from that day to the 1st April, 1788, comprehending in the whole three years and five months. In making a statement, the committee have arranged under different heads the foreign and domestic receipts and expenditures; indents and specie payments; the first and second period of time above-mentioned.

*The first period: Domestic Receipts and Expenditures in Specie.*

	Dollars.
Nov. 1, 1784, there was in the treasury,	21,986.72
From Nov. 1, 1784, to April 21, 1785, there was paid into the treasury by the receivers of taxes,	143,648.34
By the post-master-general,	2,000.
On account of the sale of public stores,	4,077.87

Total dollars, 171,713.13

Expenditures during the same period.

Paid on account of the anticipations of 1,53,896  $\frac{11}{10}$  dollars, made by the late superintendent of finance, 58,065. 38

In the civil, military, contingent and Indian departments, 68,357. 30

April 21, 1785, balance in the treasury as then stated by the board, 45,289. 75

171,713. 13

The register of the treasury stated that April 21, 1785,

there was in the treasury, 45,289. 75

On examining the registry, it appears there was only 48,605. 20

Error or difference, 1,684. 55

This difference arose from the circumstance that payments were made from the treasury before, but not entered in the registry till after the 21st April, 1785.

*Foreign Receipts and Expenditures.*

Nov. 1, 1784, the late superintendent of finance stated, that the anticipations on the funds in Europe were 88,306 $\frac{83}{90}$  dollars; that there was a balance due to Messrs. Willink, Staphorst & Co. of 7,665 $\frac{74}{90}$  dollars; but by a stated account received from Holland since that period, it appears there was a balance due from the said Messrs. Willink, Staphorst & Co. on the 1st of Nov. 1784, of 463,894. 40 dollars, received by them in the months of August, September and October preceding; this sum, as well as some expenditures in Europe, prior to Nov. 1, 1784, not being included in the accounts of the superintendent, are placed among the receipts and expenditures from Nov. 1, 1784, to April 21, 1785, which stand as follows:

*Foreign Receipts.*

	<i>Dollars.</i>
Nov. 1, 1784, in the hands of Mr. Grand, banker at Paris,	28,040. 54
Received by the commissioners of loans in Holland, including the sum above-mentioned,	600,788. 80
Profit on bills of exchange sold above par,	4,752. 33
Received of Le Couteu & Co. (a debt due from them,)	3,545. 20
Received of Mr. Dana, (monies returned,)	13,128. 58
Total,	650,255. 65

*Foreign Expenditures in 1784, and to 21st April, 1785.*

Interest paid on foreign loans,	67,869. 63
Premiums on ditto,	48,638. 37
Debts, salaries, &c. paid,	119,825. 7
	236,333. 17
	413,922. 48

April 21, 1785. Balance in the hands of Mr.

Grand, and said commissioners, to wit:

In the hands of Mr. Grand,	17,193. 64	}	413,922. 48
In the hands of said commissioners,	396,728. 74		

*Domestic Receipts and Expenditures,*

From April 21, 1785, to April 1, 1788. Indents; Received by the loan-officers and receivers, to April 1, 1788,

As follows: New-Hampshire,	86,474. 24
Massachusetts,	453,046. 25
Connecticut,	70,598. 17
New-York,	399,359. 11
Pennsylvania,	434,265. 70
Delaware,	46,264. 14
Virginia,	391,131. 23

Dollars, 1,881,139. 4

Of the above sum, about 1,100,000 dollars have been actually re-

ceived into the federal treasury, and the residue of it remains in the hands of the loan-officers.

*Domestic Receipts and Expenditures in Specie,*

From April 21, 1785, to April 1, 1788.

	<i>Dollars.</i>
Receipts from New-Hampshire,	12,142. 43
Massachusetts,	29,241. 64
Rhode-Island,	454. 5
Connecticut,	46,307. 21
New-York,	196,519. 32
New-Jersey,	21,620. 65
Pennsylvania,	181,845. 84
Delaware,	20,859. 14
Maryland,	252,817. 24
Virginia,	178,423. 21
North-Carolina,	28,486. 78
South-Carolina,	27,730. 38
Credited for supplies in 1782, &c.	27,730. 38

Total received of the states by the loan-officers, &c. 996,448. 44

Stated to have been in the hands of the receivers and loan-officers the 21st of April, 1785, the sum of 18,578. 39 dollars, but as 741. 53 dollars had been previously received of the receivers of taxes in South-Carolina, but not entered in the registry till afterwards, the true sum in the hands of the receivers and loan-officers on that day was 17,836. 76.

Received from the receivers and loan-officers during the said period by the treasurer, &c.	1,014,825. 30
For new emission money in New-York, Maryland and Virginia,	974,660. 16
Several debts recovered,	49,761. 40
Paid into the treasury by the post-master-general,	26,511. 62
Profit on bills of exchange sold above par, and for a stove,	11,645. 17
Monies received of the commissioners in Holland,	8,615. 64
Received back from Constable, Rucker & Co. being a part of the 316,866. 49 stated as remittance for the payment of foreign interest,	196,232. 84
A like sum charged in a former quarter and not applied, which returned to the treasury,	34,165. 2
Balance in the treasury as stated to Congress, April 21, 1785,	10,225.
	45,289. 86
Total,	1,357,107. 11

*Domestic Expenditures in Specie,*

From April 21, 1785, to April 1, 1788.

In discharge of the anticipations of the late superintendent of finance,	2,367. 41	
In payment of old accounts, - - -	77,714. 35	
Allowed to South-Carolina for supplies, in 1782, &c. - - -	27,730. 38	
	<hr/>	107,812. 24
The marine, - - -	- - -	10,835. 77
ARMY. {	Pay-master-general's department,	251,821. 36
	Subsistence of the army,	123,231. 70
	Quarter-master's department,	24,523. 75
	Clothing of the army,	31,525. 73
	Military and ordnance stores,	14,605. -
Hospital department,	534. 24	
	<hr/>	446,242. 8
Indian department, - - -	- - -	59,656. 58
Pensions, annuities and grants, - - -	- - -	32,171. 67
Contingencies, including $76\frac{41}{90}$ dollars paid to president Wheelock, - - -	- - -	6,813. 35
Allowed Pennsylvania, for payments to invalids, - - -	- - -	41,810. 84
Ditto, for taking up British deserters, - - -	- - -	2,365. 83
Remittances for the payment of foreign interest, - - -	- - -	316,866. 49
Monies paid in America to the captors of certain prizes captured by Jones, - - -	- - -	20,772. 55
	<hr/>	<hr/>
Whole Expenditures,		1,045,347. 79

*Foreign Receipts and Expenditures.*

## RECEIPTS.

Dollars.

April 21, 1785, Balance in the hands of Mr. Grand,	17,193. 48
Balance in the hands of the commissioners of loans in Holland,	396,728. 58
Received on loans from April 21, 1785, to April 1, 1788,	249,427. 76
Cargoes remitted from America by the late superintendent,	26,689. 52
Remittances made from America by the board of treasury,	258,971. 46
Monies received in Europe on account of captain Jones's captures,	20,772. 55
Balances received, &c. - - -	20,104. 46
	<hr/>
	989,888. 31

Fraction, - - -

5

*Foreign Expenditures, from 21st April, 1785, to 1st April, 1788.*

Dollars.

Interest paid in Europe from European funds,	481,516. 57
Premiums paid on loans, - - -	40,767. 41
Commissions on interest paid, - - -	5,548. 70
	<hr/>
Carried forward,	527,832. 78

	Brought forward,	527,832. 78
Monies remitted to America,	-	196,232. 84
For discharge of debts in Europe,	-	25,324. 63
Balance due from de la Lande & Finje, when they failed,	-	43,110. 32
Civil list in Europe; as salaries, contingent expenses, &c.	-	175,079. 59
Balance due to the United States, remaining in the hands of the commissioners of loans in Holland,	}	22,307. 80
April 1, 1788,		
		<hr/> 989,888. 36 <hr/>

On a statement of the public receipts and expenditures, the committee find, that on the 1st April, 1788, the anticipations upon the public credit, made by the board of treasury, were

-	20,128. 86
—Ditto, made by the late superintendent of finance,	93,463. 22
	<hr/>

Total, 113,592. 18

That on the same day there were the following sums subject to the order of the commissioners of the treasury,

22,307. 80
In the hands of the loan-officers and late receivers, } 42,536. 85

So that the anticipations on that day, did not much exceed the monies so subject to the orders of the board.

The committee find, that specie demands arising against the treasury are, in general, satisfied with considerable punctuality, except those arising on account of interest, which has become due on the French and Spanish loans: Interest on these loans is much in arrears.

The committee have herewith submitted to Congress, general accounts of monies that have been advanced in the department of the commissary, quarter-master, clothing, marine and hospital, marked from No. 1 to 6, inclusive; many of which accounts are settled, and others of them are in a fair way to be settled, by the officers of the treasury, and the commissioners of the five departments.

Your committee turning their attention to an act of Congress of the 22d May last, directing the board of treasury to call upon all such persons as had been entrusted with public money, and had neglected to account for the same, and such other persons as may have made partial or vague settlements, without producing proper vouchers, were desirous to obtain a particular statement of the accounts which are in the above predicament; but they are sorry to find that such a detail is too lengthy to be here inserted. Some of those accounts are stated in the file of papers marked *papers respecting unsettled accounts*, which is herewith submitted. From the general aspect of those accounts, your committee are constrained to observe, that there are many strong marks of the want of responsibility or attention in the former transactions respecting the public treasures. No less a sum than 2,102,600 dollars has been advanced to the secret committee of Congress, before 2d August, 1777, and a considerable part of this money remains to be accounted for, otherwise than by contracts made with individuals of their own body, while those individuals neglect to account.

Your committee find that other considerable sums have been paid out of the treasury, of which no appropriation is to be found on the public journal of Congress. Several of them remain to be accounted for.

Of the accounts which have been partially settled, or settled without authority, or without proper vouchers, two or three, by reason of their magnitude, have claimed the particular attention of your committee. Their amount is little short of half a million of dollars specie. And though the acts of June 14 and 20, 1781, and April 10, 1783, those accounts appear to have claimed the attention of Congress, your committee find that it remains very doubtful to this day, whether many of the charges against the United States, which are stated in those accounts, have any solid foundation.

Your committee were desirous to discover in what manner the large sums of money received in France, have been accounted for; but the subject of this enquiry seems to be involved in darkness.

	<i>Livres.</i>	<i>ƒ. d.</i>
The amount of the several receipts, is	-	47,111,859. 12 8
Of this sum there has been sent over or drawn for and expended in America,	<i>Livres.</i>	<i>ƒ. d.</i>
Salaries of foreign ministers,	26,246,727. 5 5	
	1,160,183.	
	—————	27,406,910. 5 5
There remains		19,704,949. 7 3

The documents for the expenditure of this balance have never been produced at the treasury: They must be in France, if there are any such papers. A full enquiry into the premises now claims the attention of the board of treasury: Some time must be expended in making the necessary investigation, but the result may be of important service to the United States.

Your committee further report, that the board of treasury, pursuant to an act of Congress, have sold at public vendue, of the first four ranges of townships, the quantity of 150,896 acres, in sections and fractional parts of sections, upon condition that one-third of the purchase should be paid down, and the remaining two-thirds in three months after the sale; and in case of failure in the last payment, the first to be forfeited. The purchasers were also to pay for the expense of surveying, at the rate of one dollar for every 640 acres; the whole of those sales amounted to 176,090. 6 dollars; of which there has been paid into the treasury the whole amount of the purchases with the expense for surveying, except one large purchase, amounting to 88,864. 39 dollars, on which only the first payment being one-third was paid; by which the whole receipts in the treasury on those sales, (including in some instances a small overplus where certificates would not produce the exact sum) amounts as per account marked No. 8, to 117,104. 46 dollars.

The said board have also, by order of Congress, made a contract with Sargent and Cutler, for a tract of land, supposed to contain between four and five millions of acres, exclusive of donations for public uses, and lands reserved for the United States, in which contract army rights for bounties in lands, to the amount of one-seventh part of the purchase

are to be admitted in part of payment; the other parts thereof were stipulated to be paid as follows :

On executing the contract,	-	-	500,000 dollars.
Within one month after the executing the survey,			500,000
At six other payments of 332,192. 30 dollars, each			
half yearly,	-	-	1,993,154

Making in the whole, 2,993,154 dollars.

On which contract there was paid into the treasury on the 27th of October last, the first payment of 500,000 dollars.

The said board has also agreed to grant to John Cleves Symmes, Esq; one million of acres, on terms nearly similar to the contract with Sargent and Cutler; the sum to be paid on this purchase after deducting the donations and land reserved, will, exclusive of the army rights to be admitted, amount to 571,437. 60 dollars, of which the first payment, or a sum nearly equal thereto is already deposited in the treasury: Wherefore your committee presume the contract will certainly be executed.

The amount of sales of land in the western territory, to be paid in public securities, will then stand as follows :

The amount of sales in the first four ranges			
of townships,	-	-	176,090. 6
The contract with Sargent and Cutler,			2,993,154.
— Ditto with Mr. Symmes,	-	-	571,437. 60
		—————	<i>Dollars.</i>

Amounting in the whole to 3,740,681. 66

The board of treasury are also authorized to sell to Messrs. Flint and Parker, one million of acres for the same price, and on the same terms as the sale to Mr. Symmes, excepting that the first payment is not to be made till the Indian title to the premises shall be extinguished; but as this contract has not in any degree been carried into effect, no account is made of it.

From the account of receipts in payment for land, as before-mentioned, there appears to be now in the treasury in public securities,

Received on account of sales in the townships,	117,104. 64
Received on the contract with Sargent and Cutler,	500,000.

As the contract with Symmes is not yet executed, the sum by him deposited in the treasury is not taken into the account of receipts.

There has also been received from sundry persons, in public securities for debts due to the United States, and by the sale of ordnance stores; as per account marked No. 8, the sum of

} 142,315.
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Amounting to 759,419. 65

Exclusive of the above, there is an engagement for paying in the course of the present month, on account of a debt due to the United States from de la Lande and Finje, in public securities, the sum of

} 36,576. 2
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There are also two contracts made by the board of treasury with James Jarvis, the one for coining 300 tons of copper of the federal

standard, to be loaned to the United States, together with an additional quantity of 45 tons, which he was to pay as a premium to the United States for the privilege of coining; no part of this contract hath been fulfilled. A particular statement of this business, so far as relates to the 300 tons, has lately been reported to Congress. It does not appear to your committee, that the board were authorized to contract for the privilege of coining 45 tons, as a premium, exclusive of the 300 mentioned in the act of Congress.

The other contract with said Jarvis, is for the sale of a quantity of copper, amounting, as per account, to 71,174 pounds; this the said Jarvis has received at the stipulated price of eleven-pence farthing, sterling, per pound, which he contracted to pay in copper coin of the federal standard, on or before the last day of August, 1788, now past; of which but a small part has been received. The remainder it is presumed the board of treasury will take effectual measures to recover as soon as possible.

The enquiry of your committee has not been confined to the transactions of the board of treasury only, but to others in a subordinate station, among which are the loan-officers and commissioners for settling accounts in the several states: Upon which enquiry they find that all the present loan-officers, except those of South-Carolina and Georgia, have accounted for their receipts of monies and indents from their respective states, up to the 31st of March last, but have not made returns of their issues of indents for interest.

The accounts of the former loan-officers, appointed under the first establishment of the office, in respect to settlements, stand in the several states as follows:

<i>New-Hampshire &amp; Massachusetts,</i>	Both settled by the commissioners for settling accounts in the several states, which having been approved of by the comptroller of the treasury, the same by his orders were entered into the books of the treasury, and the accounts closed.
<i>Rhode-Island,</i>	No account received, or return made of any settlement.
<i>Connecticut,</i>	Settled by the commissioners, but the settlement not yet inspected to be ready for entry in the books.
<i>New-York,</i>	There having been two loan-officers, the accounts of the first were settled by the commissioners of accounts for the northern-department, in the year 1780, but not having been approved of by the then board of treasury or the auditor-general, the same has not been entered on the books, but remains in the state they were returned to the treasury. The accounts of the other loan-officer have been settled by the late commissioner, but no order has been given for their entry.
<i>New-Jersey</i>	The accounts have been examined by the commissioner of the state, but not considered as finally settled.
<i>Pennsylvania,</i>	Very extensive accounts not yet examined in any part.



*Delaware,*

{ Examined, but not complete for entry.

*Maryland,*

{ Settled by the commissioner of the state, but not yet inspected so as to be ready for entry.

*Virginia,*

{ The papers of the first loan-officer in this state are alleged to have been lost; the documents respecting his receipts and expenditures, which had been forwarded to the treasury, have been collected, and copies thereof transmitted to the late commissioner of the state; but no settlement appears to have been made. His successor has settled all his transactions with the state commissioner, which settlement is now in the loan-office of that state.

*North-Carolina,*

{ Not settled. In the two last states, the principal sums loaned, is said to have been appropriated by the respective states in which the same were loaned.

*South-Carolina**& Georgia,*

With respect to the commissioners appointed for settling accounts in the several states, no return of books and papers have been made by them, except from the states of New-York, New-Jersey, Maryland, Georgia and Pennsylvania. The certificates liquidated and taken up, included in those returns, were lodged in the comptroller's office; but they were not cancelled or otherwise defaced; in this situation they lay neglected, until a number of those taken up in the state of New-York, which were negociable, were feloniously taken away by one of the clerks in the register's office, to which office those papers had been removed upon the dissolution of the comptroller's office; of those certificates, thus stolen, the greater part have since been recovered, but a deficiency of 2087 $\frac{47}{90}$  dollars yet remains. What, or whether any other certificates have been taken away in like manner, is not yet discovered. The above robbery, however, in the opinion of your committee, clearly evinces the impropriety of suffering public securities taken up by the commissioners, or paid into the treasury, to remain as they now are, uncanceled.

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WEDNESDAY, October 1, 1788.

Congress assembled: Present as yesterday.

On motion of Mr. Clarke, seconded by Mr. Williamson,

*Resolved,* That the board of treasury be, and they hereby are directed no longer to delay the taking measures for immediately cancelling all the public securities now in the treasury, paid in discharge of debts due to the United States, by causing a part of the same to be cut out and destroyed in such a manner as to leave the number, amount and names of the persons signing the same, and the person to whom given, and in like manner, from time to time, to cancel all others when paid into the treasury, in order that such securities may be inspected by and finally destroyed in the presence of a committee of Congress, to be appointed for that purpose at such time as Congress shall direct; and also that the said board take immediate measures for cancelling all the certificates liquidated and taken up by the commissioners in the several states, or in any of the public offices, so as to prevent their being fraudulently put in circulation, preserving the last mentioned certificates to be charged in accounts against the respective officers who issued the same.

On the report of a committee, consisting of Mr. Carrington, Mr. Williamson and Mr. Clarke, to whom was referred a report of the board of treasury, on the accounts of Mr. Caron de Beaumarchais, *Resolved*, That the settlement of the accounts of Mr. Caron de Beaumarchais, said to have been made by Mr. Silas Deane, at Paris, in the month of April, 1781, cannot be deemed binding on the United States, the said Mr. Deane not being vested with any authority to make such settlement.

THURSDAY, October 2, 1788.

Congress assembled: Present, Connecticut, New-York, New-Jersey, Pennsylvania, Virginia, North-Carolina and South-Carolina; and from New-Hampshire, Mr. Gilman, from Massachusetts, Mr. Otis, from Rhode-Island, Mr. Arnold, and from Delaware, Mr. Kearny.

On a report of a committee, consisting of Mr. Gilman, Mr. Read and Mr. Carrington, to whom was referred the petition of brigadier-general James Reed,

*Resolved*, That it be, and hereby is recommended to the state of New-Hampshire, to take into consideration the peculiar situation and sufferings of brigadier-general James Reed, and on his producing proper evidence to substantiate his claim to the pension of an invalid, to make provision for payment thereof out of the specie requisitions, agreeably to the resolutions of Congress of the 11th of June last.

The committee, consisting of Mr. Tucker, Mr. Parker and Mr. Clarke, to whom was referred a letter from the mayor of the city of New-York to the delegates, having reported,

That it appears from the letter referred to them, that the repairs and alterations intended to be made in the buildings in which Congress at present assemble, will render it highly inconvenient for them to continue business therein; that it will therefore be necessary to provide some other place for their accommodation. The committee having made enquiry, find no place more proper for this purpose than the two apartments now appropriated for the office of foreign affairs. They therefore recommend that the said apartments be immediately repaired for the reception of Congress and the papers of the secretary.

*Resolved*, That Congress agree to the said report.

The committee, consisting of Mr. Howard, Mr. Few, Mr. Dayton, Mr. Gilman and Mr. Carrington, appointed to make full enquiry into the proceedings in the department of war, beg leave to report, and to present to the view of Congress a summary statement of the various branches of the department of war.

1st. *Of the troops in service of the United States.*

The troops at present in service on the frontiers, were raised for three years, in consequence of the resolves of Congress passed April, 1785.

The establishment was to consist of the field and company commissioned officers, and 700 non-commissioned officers and privates, to be raised agreeably to the proportions specified by the states of Connecticut, New-York, New-Jersey and Pennsylvania; about 400 recruits were engaged in 1785, and about 180 in 1786, and marched to the Ohio, except a small garrison of an officer, one serjeant, and

15 privates stationed at West-Point. The further completion of the establishment was prevented by a deficiency of the public finances.

Of the non-commissioned officers and privates engaged in 1785, about 358 remain in service, but are, or soon will be entitled to their discharge; and those enlisted in 1786, will be entitled to be also discharged previous to July, 1789.

In order to replace the deficiencies which would arise from the expiration of the terms of enlistment, Congress on the 3d of October, 1787, made a provision for re-enlisting 700 non-commissioned officers and privates, and apportioned them on the same states which had raised the troops in 1785, in order to re-enlist as many as possible of the old soldiers.

It appears by information of the secretary at war, that the states of Connecticut, New-Jersey and Pennsylvania, have fully complied with the acts of Congress of the 3d of October, 1787. But that the late legislature of the state of New-York, omitted to pass the necessary laws for this purpose, although it is highly probable that the business will be effected early in the first session of the legislature.

That it appears from the letter of brigadier-general Harmar, of the 15th of June last, that the officers under his command, have, in consequence of the resolves of the 3d of October, 1787, re-enlisted 171 non-commissioned officers and privates. About 190 recruits will march from Pennsylvania, New-Jersey and Connecticut, for the Ohio, in the course of the present month, and 60 from Connecticut, in August, or the beginning of September, amounting to 250 new recruits; when these shall arrive on the frontiers the number of troops will be as follows:

Non-commissioned officers and privates having to serve until the year 1789,	174
Re-enlisted at the several posts,	171
New recruits marched from the states of Pennsylvania, New-Jersey and Connecticut,	250
	<hr/>
	595

Besides the before recited troops there are in the service, 2 companies of artillery raised by virtue of the resolves of Congress of the 20th of October, 1786, and retained in service by the resolve of Congress of the 9th of April, 1787, and a small detachment at West-Point of 13 non-commissioned and privates raised by virtue of the acts of Congress of April, 1785.

These companies of artillery were each completed on the first of May, 1787, to the establishment of 70 non-commissioned officers and privates, but they have been exceedingly reduced by desertion since this period. This unworthy conduct has been induced principally from an inequality in their treatment, they being held in service, while others, enlisted on the same terms, by virtue of the resolves of the 20th of October, 1786, have been discharged, combined also with the irregularity of their payments; both of these companies amount at present only to 71 non-commissioned officers and privates. They have served about one half the term for which they were engaged, have yet to serve about 18 months. The secretary at war intended to have

had them completed early in the present year, and to have ordered one of them to the frontiers; but money and clothing could not be obtained in season for this object.

One of the companies is stationed at West-Point, on Hudson's river, and the other at the arsenal at Springfield, on Connecticut river. A garrison at West-Point appears to be essential for guarding the valuable public property which is deposited there. Springfield might probably be entrusted to an officer and 15 non-commissioned and privates.

The time which these companies have to serve, is not so great as to justify the filling them up and marching them to the frontiers, unless there should be some pressing demand for the measures. The most economical arrangement would be, to reduce the commissioned officers of one company, and transfer the non-commissioned officers and privates to the other, which would complete the same. To be opposed to this measure is the consideration, how far such a conduct would be politic, as it respects that kind of security of employment so necessary to a due preparation for the proper performance of the duties of an officer. The annual pay and subsistence of one captain, two lieutenants of artillery, amount to 1380 dollars, which would be the saving by the reduction of the officers of one of the companies.

These facts are submitted for the consideration of Congress.

The services of the small detachment at West-Point will soon terminate with their enlistments.

The inspector of the troops has been discharged agreeably to the orders of Congress of the 25th of June.

*2d. Of the clothing for the troops.*

The troops enlisted in 1785, have already received two complete suits, and most of them have one year's clothing, complete, due to them.

Provision was made for the third year's clothing, but the secretary at war has been constrained to apply it for the recruits, otherwise they could not have been enlisted, good clothing being the greatest inducement for a recruit to enlist into the service.

The board of treasury have advertised for a contract for clothing, and hope to succeed. In which case the old soldiers who have re-enlisted, will receive their third suit in October next. Those of this description who will be discharged, will probably prefer a compensation in money to the clothing.

The troops on the frontiers enlisted in 1786, have also received two suits of clothing, and will, if the board of treasury succeed in their contract, duly receive their third suit.

The two companies of artillery raised in Massachusetts, have received only one year's clothing; they will probably receive their second suit in the ensuing October.

*3d. Of the pay of the troops.*

The troops have generally been paid up to the 1st of January, 1787, and the officers have had their subsistence and forage-money paid up to the 1st of April, 1788. Both officers and soldiers appear well satisfied in this respect: But as about 200 non-commissioned officers and privates will be discharged during the present year, it will be necessary that the treasury board devise some mode to make them satisfactory

payment. The balance due the troops to the 1st day of July, is estimated at 65,000 dollars.

*4th. Of the stations occupied by the troops on the frontiers.*

*Fort-Franklin*—On French-Creek, near to the post formerly called Venango, is a small strong fort with one cannon, was erected in 1787, and garrisoned with one company. The excellent construction and execution of this work, reflects honor on the abilities and industry of captain Hart, who garrisons it with his company, and who was his own engineer.

This post was established for the purpose of defending the frontiers of Pennsylvania, which are much exposed by the facility with which the Indians can cross from lake Erie, either to French-Creek, or to the Jadaghque lake, and the Conneawango branch, and thence descend the rapid river Allegheny.

*Fort-Pitt*—Has only an officer and a few men to receive the supplies and dispatches forwarded to the troops by the secretary at war.

*Fort-M'Intosh*—Is ordered to be demolished, and a block-house to be erected in lieu thereof, a few miles up the Big Beaver-Creek, to protect the communication up the same, and also to cover the country.

*Fort-Harmar*—At the mouth of Muskingum, is a well-constructed fort, with five bastions and three cannons mounted.

It is at present garrisoned with four companies, and is considered as head-quarters, being conveniently situated to reinforce any of the posts, either up or down the Ohio.

*Fort-Steuben*—At the rapids of Ohio, on the west side, is a well-constructed small fort with one cannon, and is garrisoned with a major and two companies. This post is established to cover the country from the incursions of the Indians, and it also serves as a post of communication to post Vincennes, on the Wabash.

*Post-Vincennes*—On the Wabash, is a work erected during the year 1787, and has four small brass cannon. It is garrisoned by a major and two companies.

It is established to curb the incursions of the Wabash Indians, into the Kentucky country, and to prevent the usurpation of the federal lands, the fertility of which has been too strong a temptation to the lawless people of the frontiers, who posted themselves there in force in the year 1786. Brigadier-general Harmar, by orders of Congress, formed an expedition, in August, 1787, for the purpose of dispossessing them, but previously to his arrival most of the intruders had abandoned their settlement.

*5th. Of the discipline of the troops.*

Ample instructions have been repeatedly transmitted by the secretary at war to the commanding-officer, relative to the various objects for which the troops are placed on the frontiers.

The posts they were to occupy, and the nature of the fortifications to be erected, have been pointed out.

The discipline of the troops, and particularly the soldierly and habitual vigilance most especially necessary to be observed in such exposed situations, have been inculcated and enforced, in the strongest terms; as also has been, the economy essential to various staff-departments.

And there are good reasons to believe, that the numerous and distant posts on the Ohio, and its communications, are well-regulated in all respects, dependent on the commanding-officers; and that the troops practise as high a degree of discipline, as the nature of the detached service in which they are employed will possibly admit.

6th. *Of the mode in which the troops are furnished with provisions.*

In the year 1785, Mr. James O'Harra made a contract with the board of treasury for furnishing the several posts on the frontiers with rations, which were to consist of

One pound of beef, or three-quarters of a pound of pork.

One pound of bread or flour.

One gill of common rum.

One quart of salt,

Two quarts of vinegar,

Two pounds of soap,

One pound of candles,

} for every 100 rations.

The prices of which, at the several posts where the troops were actually stationed, were as follows:

At Fort-Pitt,

M'Intosh,

Harmar,

}  $13\frac{1}{2}$  ninetieths of a dollar.

The contract was performed tolerably well; some complaints were made respecting particular posts, but the defects were perhaps inseparably connected with the state of the frontiers and of public affairs.

In 1786, a contract was formed by the board of treasury for the same objects with Messrs. Turnbull, Marmie & Co. the articles of the ration to consist of the same as the preceding, and the prices thereof,

At Fort-Pitt,  $10\frac{1}{3}$  ninetieths of a dollar.

M'Intosh,

Harmar,

}  $11\frac{1}{2}$  ditto.

There were some stipulations for payment by warrants on the state of Pennsylvania, which were paid in the paper currency by the said state when greatly depreciated. This contract was ill executed, and the mode of payment was assigned by the contractors as the reason.

In 1787, a contract was formed by the board of treasury with Mr. James O'Harra, at the prices herein stated:

Fort-Pitt,  $9\frac{1}{4}$  ninetieths of a dollar.

M'Intosh,  $10\frac{1}{4}$  ditto.

Harmar,  $11\frac{1}{4}$  ditto.

Rapids of the Ohio,  $13\frac{1}{2}$  ninetieths of a dollar.

Venango,  $14$  ditto.

This contract was better executed than any of the former. The payments were generally made in warrants on New-Jersey, Pennsylvania and Maryland.

A new contract has been formed to take effect from the 1st of July of the present year, to the end of the year 1789, by Messrs. Elliot and Williams, of Maryland, at the following prices: The terms of payment, by warrants on Maryland:

Fort-Pitt,	7	ninetieths of a dollar.
M'Intosh,	-	the same.
Harmar,	-	the same.
Rapids of the Ohio,	$7\frac{1}{2}$	ninetieths of a dollar.
Post Vincennes,	16	ditto.
Venango,	9	ditto.

*7th. Of the quarter-master's department.*

The quarter-master's department on the frontiers is arranged on principles highly economical and beneficial to the public.

Instead of an officer at the head of this department, with his train of attendants, all supplies are furnished by the contractors of provision, who have also, from time to time, contracted with the secretary at war, to furnish all necessary articles on the frontiers, which shall be required for the troops, on the following principles:

1st. No article to be furnished, but by an order in writing from the commanding-officer of the troops, or the commanding-officer of a separate post, who shall be responsible to the secretary at war, that only such articles shall be ordered, as the situation of the troops render indispensably necessary.

2d. That for all articles so furnished, the original bills of parcels shall be produced by the contractor, which shall be verified upon oath if required.

3d. That no charge shall be allowed the contractors which shall be deficient in the vouchers, the nature of which are precisely pointed out.

4th. That for all supplies, advances and services rendered in this line, the contractor shall have an allowance made of five per cent. on the settlement of their account, every six months at the treasury.

All necessary articles which are furnished within the state for the troops, are purchased by the secretary at war, without any commission or charge thereon to the public.

This arrangement existed previously to the resolve of Congress for abolishing the quarter-master-general's department, July 25, 1785.

*8th. Of the supplies to the troops.*

There have been forwarded to the frontiers during the present year, supplies to the troops, of clothing, new tents and other articles in the quarter-master's line, and a considerable quantity of ordnance and military-stores, agreeably to the invoices thereof lodged in the war-office.

The returns on the files of Congress will shew the brass and iron ordnance, and the spare-arms and ordnance and military-stores on the frontiers.

If these are not so ample as could be wished, yet the state of the public finances will not admit of a further supply at present.

*9th. Of the ordnance department.*

This branch of the department of war is important and interesting to the union.

The ordnance, arms, ammunition, and all the numerous appendages and complex apparatus belonging thereto, in possession of the United States, are highly valuable, and require an incessant attention to their preservation.

The places where they are deposited are as follows :

Providence, in Rhode-Island.

Springfield, in Massachusetts.

Mohawk river.

West-Point, on Hudson's river.

Philadelphia.

New-London and Manchester, Virginia.

Charleston, South-Carolina.

Besides which there are considerable quantities of shot and shells at the furnaces at which they were cast. The proportions at the respective places are specified in the returns on the files of Congress.

The principal arsenals are at Springfield, West-Point, and Philadelphia.

The other places can be considered as only temporary accommodations for the stores, which are to be removed as soon as permanent arsenals and magazines shall be decided on and provided by the United States.

By the information of the secretary at war, it appears that the stores are well accommodated at Springfield, in wooden buildings, except the magazine, which is an excellent one built of brick, at the public expense, in 1782.

That the powder and stores are well accommodated at West-Point ; although the buildings, being built of wood, and the materials unseasoned, are going fast to decay.

That the stores in Philadelphia are too much dispersed in different parts of the city, and placed in buildings illy calculated for their reception.

The establishment of proper and permanent arsenals and magazines, is an object of high importance, and demands the serious attention of the government of the United States. But as the expense of erecting suitable buildings for this purpose will be great, it will perhaps be thought advisable to defer it for the present.

The arms at Springfield are new and in excellent order, the secretary at war having had the whole taken to pieces, cleaned and placed in racks prepared for the purpose.

About 5000 arms have been repaired at West-Point, and are fit for immediate service : About 10,000 of the others, are supposed to be worth repairing, and this necessary work is going on at that post on a small scale. To employ the number of workmen requisite to effect the business in one year, would be too expensive for the public finances. These arms would, probably, on an average, cost about one dollar and an half each, to put them in complete order : Between 4 and 5000 arms are in Virginia, the most of which require repairs.

The new arms in Philadelphia, are in such a state of repair, as to need cleaning only. The secretary at war has been constrained to defer this operation, until a suitable building could be obtained, or an arsenal erected, in which so to deposit them that they can be kept easily in order.

The powder at Springfield and West-Point, which places include the greatest quantities in possession of the public, is in excellent order ; great attention has been annually paid to this article in having it aired, cleaned, proved, well packed, and also turned frequently.

The brass cannon and mortars are and will remain fit for immediate



service : But it is to be remarked generally, that no new carriages for the cannon, or beds for the mortars have been made since the peace. At Springfield there are a number of new cannon carriages which have never been in service, and also at West-Point there are a number fit for service, but in general the carriages which were left at the close of the war are too defective for use.

This object will require attention when the finances of the union will admit of replacing the carriages, without which the cannon are of little service.

The ordnance and military-stores at the several arsenals, under the charge of store-keepers, or deputy commissaries of military-stores, at the following rates of pay :

<i>Springfield</i> —One deputy commissary, at 40 dollars per month,	} 480
One assistant, 15 dollars per month,	180
<i>Providence</i> —One store-keeper, 8 ditto,	96
<i>West-Point</i> —One deputy commissary, at 40 dollars per month,	} 480
<i>Fort-Herkemer</i> , and the <i>Mohawk river</i> , one store-keeper, at $14\frac{32}{90}$ ,	} 172
<i>Philadelphia</i> —One commissary of military-stores, at $41\frac{64}{90}$ per month,	} 500
One assistant, 30 dollars per month,	360
<i>New-London</i> and <i>Manchester</i> , } One deputy commissary,	480
	—————2748

There are also deputy commissaries having the charge of the public property in South-Carolina, and at Carlisle, but they will soon be discharged.

*Rents of buildings and West-Point.*

For the buildings occupied in Philadelphia,	752 $\frac{60}{90}$
ditto, in Virginia,	350
ditto, for the post of West-Point,	400
	—————1502 $\frac{60}{90}$

On the establishment of permanent arsenals and the stores being collected together, the expenses arising at any other places will cease.

*10th. Of West-Point, on Hudson's river, and its dependencies.*

Congress, by their resolution of the 3d of August, 1786, directed that this post, together with so much land contiguous thereto as might be deemed necessary to be included within the limits of the garrison, should be purchased of the proprietor, by the board of treasury; but this has not been effected, owing, as the committee has been informed, to the absence of said proprietor.

Fort-Clinton, which is the principal work on the plain, having been slightly built for a temporary purpose, has decayed in such a manner, that unless it should be substantially repaired, it will soon become an heap of rubbish, as will also most of the redoubts which were built of timber.

To repair Fort-Clinton with stone, in a durable manner, would require the sum of 6000 dollars; and a further sum of 4000 dollars would

be requisite to place other necessary fortifications and buildings in a proper state.

These circumstances are stated for the consideration of Congress.

*11th. Of the Canadian Refugees.*

It appears by information from the secretary at war, who has directed the business since the year 1785, that the United States, for several years past, have been at a great expense in supporting many Canadian families, who had taken refuge within the state of New-York, when the American troops abandoned Canada, in the year 1776.

That the remnants of the people of this description were transported in 1786, by order of Congress, at the public expense, to certain lands on lake Champlain, granted to them by the state of New-York, and there supported with rations of provisions, at the expense of the United States, until the first of September, 1787. That the number so supplied, amounted to about 170 rations per day.

That by the resolve of Congress, of the 12th of October, 1787, one year's further allowance was directed to such of the aged and infirm among the said Canadians as should be unable to make provision for themselves: The rations issued under this resolve, amount to 45 per day.

*12th. Of the Indian department.*

The communications respecting the Indian departments were directed to be made to the secretary at war, by the ordinance of Congress, of the 7th of August, 1786.

That it appears from the records of the office, that the said secretary has executed the duties arising in this department, from time to time, and that he has arranged this branch of his duty by itself.

*13th. Of the Invalids.*

It appears by the information of the secretary at war, that the following states only have transmitted to the war-office descriptive lists of the invalids, required by the ordinance of Congress, of June 7, 1785, to wit: New-Hampshire, Massachusetts, Connecticut, New-York, New-Jersey, Pennsylvania and Virginia; a statement whereof, shewing the amount annually paid by each, is hereunto annexed for the information of Congress.

*14th. Of the Army Lands.*

Agreeably to the directions of Congress of the 22d October, 1787, the secretary at war has had ascertained the claims of the non-commissioned officers and soldiers in all the regular lines of the late army, and of most of the independent corps. This has been accomplished by the actual inspection of the muster-rolls, and the accounts which have been settled.

The remaining part of this voluminous business is in a train of being completed in a short time.

*15th. Of the War-Office.*

The business of the war-office is conducted by the secretary at war, and three clerks, and a messenger, whose salaries are as follows:

The secretary at war,	2450
Three clerks, at 450 dollars per annum each,	1350
Messenger, per annum,	150

Dollars, 3950

The contingent expenses of the office for stationary, firing, candles, and necessary conveniencies for the papers, are averaged on the three last years to amount to about 176 dollars for each year.

The office of assistant-secretary, whose salary was 1000 dollars per annum, has been discontinued in this office since the commencement of the year 1786.

The accounts of pay and subsistence of the troops are examined and certified at the pay-office, and transmitted to the war-office, on which the secretary at war issues his warrants for the amount on the paymaster.

Regular registers are kept in the war-office of all warrants so drawn, specifying the objects for which they were granted.

Upon the foregoing statement, your committee beg leave to observe, that having carefully examined every part of it, they are of opinion, that the arrangement of the business is judicious, and that the duties of the office are executed with ability and punctuality, which reflect great honor on the secretary at war.

Your committee think it their duty further to remark, that great care appears to have been taken by the secretary to reduce the expenses of his department, as well by dispensing with the office of assistant-secretary formerly attached to it, and which has never been annulled by Congress, as by various economical arrangements and reforms in the other branches thereof.

MONDAY, October 6, 1788.

Six states assembled; namely, Massachusetts, Connecticut, Pennsylvania, Virginia, North-Carolina and South-Carolina; and from New-Hampshire, Mr. Gilman, from Rhode-Island, Mr. Arnold, from New-York, Mr. Gansevoort, from Delaware, Mr. Kearny, and from Maryland, Mr. Contee.

TUESDAY, October 7, 1788.

Three states assembled; namely, Connecticut, New-Jersey and North-Carolina; and from New-Hampshire, Mr. Gilman, from Massachusetts, Mr. Otis, from Delaware, Mr. Kearny, from Maryland, Mr. Contee, from Virginia, Mr. Griffin, and from South-Carolina, Mr. Parker.

WEDNESDAY, October 8, 1788.

Congress assembled: Present, Massachusetts, Connecticut, New-York, New-Jersey, Pennsylvania, Virginia, North-Carolina and South-Carolina; and from New-Hampshire, Mr. Gilman, from Rhode-Island, Mr. Arnold, from Delaware, Mr. Kearny, and from Maryland, Mr. Contee.

On motion of Mr. Lee, seconded by Mr. Armstrong,

That considering the peculiar circumstances attending the case of

Muscoe Livingston, late a lieutenant in the navy of the United States, in the settlement of his accounts,

*Resolved*, That the commissioner for the marine-department adjust the said account, any resolution of Congress to the contrary notwithstanding.

\*  
THURSDAY, October 9, 1788.

Congress assembled: Present as yesterday.

\*  
FRIDAY, October 10, 1788.

Congress assembled: Present as before.

On the report of a committee, consisting of Mr. Clarke, Mr. Williamson and Mr. Madison, to whom was referred a motion of Mr. Clarke, respecting the board of commissioners, appointed under the ordinance of May 7, 1787,

*Resolved*, That the board of commissioners appointed pursuant to an ordinance of Congress of the 7th of May, 1787, be restrained from entering upon the business of their appointment, or finally determining any matter to them referred by the said ordinance, unless all three of the said commissioners shall be present, any thing in the said ordinance to the contrary notwithstanding. And that said board of commissioners do not meet for the purpose of their appointment, until the board of treasury shall have notified to them that the vouchers and accounts to be returned by the district commissioners, are ready for them to act upon. And the board of treasury, and the several commissioners then acting under Congress, are hereby required to attend the said board of commissioners when by them requested, in order to give them any necessary information, and to explain and to support the claims of the union. And the board of treasury are also required to furnish the board of commissioners with such of the clerks in the offices under the direction of the said board of treasury, as the said board of commissioners may find necessary, not exceeding two in number: And that the said board of commissioners have the privilege, while in the execution of their office, to send and receive letters by post, free of postage.

A motion was made by Mr. Clarke, seconded by Mr. Williamson, in the words following, viz. That the secretary at war be, and he hereby is directed to forbear issuing warrants for bounties of land to such of the officers of the late army who have neglected to account for monies by them received as pay-masters of regiments, or for recruiting or other public service, until such officers respectively shall have settled their accounts with the commissioner of army accounts, or others legally authorized to settle the same, and have paid the balances that may be found due from them, into the treasury of the United States, any thing in the land ordinance passed the 9th day of July, 1788, to the contrary notwithstanding.

On the question to agree to the motion, the yeas and nays being required by Mr. Clarke,

<i>New-Hampshire,</i>	Mr. Gilman,	ay	}	*
<i>Massachusetts,</i>	Mr. Otis,	no		
	Mr. Thatcher,	ay		

} divided.

Rhode-Island,	Mr. Arnold,	ay	} *
Connecticut,	Mr. Huntington,	ay	} divided.
	Mr. Edwards,	no	
New-York,	Mr. Hamilton,	no	} divided.
	Mr. Gansevoort,	ay	
New-Jersey,	Mr. Clarke,	ay	} ay
	Mr. Dayton,	ay	
Pennsylvania,	Mr. Irwine,	ay	} divided.
	Mr. Read,	no	
Delaware,	Mr. Kearny,	ay	} *
Maryland,	Mr. Contee,	no	} *
Virginia,	Mr. Griffin,	no	} divided.
	Mr. Madison,	ay	
North-Carolina,	Mr. White,	ay	} ay
	Mr. Williamson,	ay	
South-Carolina,	Mr. Tucker,	no	} *

So the question was lost.

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*TUESDAY, October 14, 1788.*

Two states attended; namely, Massachusetts and New-Jersey; and from New-Hampshire, Mr. Gilman, from Connecticut, Mr. Huntington, from Pennsylvania, Mr. Irwine, from Delaware, Mr. Kearny, from Maryland, Mr. Contee, from Virginia, Mr. Griffin, from North-Carolina, Mr. Williamson, and from South-Carolina, Mr. Parker.

— ❁ —

*WEDNESDAY, October 15, 1788.*

Four states attended; namely, Massachusetts, New-Jersey, Virginia and South-Carolina; and from New-Hampshire, Mr. Gilman, from Connecticut, Mr. Huntington, from Pennsylvania, Mr. Irwine, from Maryland, Mr. Contee, and from North-Carolina, Mr. Williamson.

— ❁ —

*THURSDAY, October 16, 1788.*

Two states attended; namely, Massachusetts and South-Carolina; and from New-Hampshire, Mr. Gilman, from Rhode-Island, Mr. Arnold, from New-Jersey, Mr. Dayton, from Pennsylvania, Mr. Irwine, from Maryland, Mr. Contee, from Virginia, Mr. Griffin, and from North-Carolina, Mr. Williamson.

— ❁ —

*TUESDAY, October 21, 1788.*

Two states attended; namely, Massachusetts and South-Carolina; and from New-Hampshire, Mr. Gilman, from Connecticut, Mr. Huntington, from Pennsylvania, Mr. Irwine, from Maryland, Mr. Contee, from Virginia, Mr. Griffin, and from North-Carolina, Mr. Williamson.

From the day above-mentioned to the first of November, there attended occasionally:

From New-Hampshire, Mr. Gilman, from Massachusetts, Mr. Otis and Mr. Thatcher, from Rhode-Island, Mr. Arnold, from Connecticut, Mr. Huntington and Mr. Edwards, from New-Jersey, Mr. Dayton, from Pennsylvania, Mr. Irwine, from Maryland, Mr. Contee, from Virginia, Mr. Griffin, from North-Carolina, Mr. Williamson, and from South-Carolina, Mr. Huger, Mr. Parker and Mr. Tucker.



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## APPENDIX.

BY THE UNITED STATES IN CONGRESS ASSEMBLED,  
FEBRUARY 21, 1787.

**W**HEREAS there is provision in the articles of confederation and perpetual union, for making alterations therein, by the assent of a Congress of the United States, and of the legislatures of the several states; and whereas experience hath evinced, that there are defects in the present confederation, as a mean to remedy which, several of the states, and particularly the state of New-York, by express instructions to their delegates in Congress, have suggested a convention for the purposes expressed in the following resolution; and such convention appearing to be the most probable mean of establishing in these states a firm national government:

*Resolved,* That in the opinion of Congress, it is expedient, that on the second Monday in May next, a convention of delegates, who shall have been appointed by the several states, be held at Philadelphia, for the sole and express purpose of revising the articles of confederation, and reporting to Congress and the several legislatures, such alterations and provisions therein, as shall, when agreed to in Congress, and confirmed by the states, render the federal constitution adequate to the exigencies of government, and the preservation of the union.

In pursuance of the foregoing resolution, twelve states appointed delegates to meet in convention, and commissioned them as follow:

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### STATE OF NEW-HAMPSHIRE.

In the year of our Lord, 1787.

*An act for appointing Deputies from this State to the Convention, proposed to be holden in the City of Philadelphia, in May, 1787, for the purpose of revising the Federal Constitution.*

**W**HEREAS in the formation of the federal compact, which frames the bond of union of the American states, it was not possible in the infant state of our republic to devise a system which in the course of time and experience, would not manifest imperfections, that it would be necessary to reform.

And whereas the limited powers, which by the articles of confederation, are vested in the Congress of the United States, have been found far inadequate to the enlarged purposes which they were intended to

produce. And whereas Congress hath, by repeated and most urgent representations; endeavored to awaken this, and other states of the union, to a sense of the truly critical and alarming situation in which they may inevitably be involved, unless timely measures be taken to enlarge the powers of Congress, that they may be thereby enabled to avert the danger which threaten our existence as a free and independent people. And whereas this state hath been ever desirous to act upon the liberal system of the general good of the United States, without circumscribing its views to the narrow and selfish objects of partial convenience; and has been at all times ready to make every concession to the safety and happiness of the whole, which justice and sound policy could vindicate.

*Be it therefore enacted*, by the senate and house of representatives in general court convened, that John Langdon, John Pickering, Nicholas Gilman and Benjamin West, Esqrs. be, and hereby are appointed commissioners, they, or any two of them, are hereby authorized and empowered, as deputies from this state, to meet at Philadelphia said convention, or any other place to which the convention may be adjourned, for the purposes aforesaid, there to confer with such deputies as are, or may be appointed by the other states for similar purposes, and with them to discuss and decide upon the most effectual means to remedy the defects of our federal union, and to procure, and secure the enlarged purposes which it was intended to effect, and to report such an act, to the United States in Congress, as when agreed to by them, and duly confirmed by the several states, will effectually provide for the same.

State of New- }  
Hampshire. } In the House of Representatives, June 27, 1787.

The foregoing bill having been read a third time: Voted that it pass to be enacted.

Sent up for concurrence,

JOHN SPARHAWK, *Speaker.*

In senate, the same day: This bill having been read a third time: Voted that the same be enacted.

JOHN SULLIVAN, *President.*

Copy examined,

Per JOSEPH PEARSON, *Sec'y.*

(L. S.)

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### COMMONWEALTH OF MASSACHUSETTS.

(L. S.) *By His Excellency James Bowdoin, Esq; Governor of the Commonwealth of Massachusetts.*

*To the Honorable Francis Dana, Elbridge Gerry, Nathaniel Gorham, Rufus King and Caleb Strong, Esqrs. greeting.*

WHEREAS Congress did, on the 21st day of February, A. D. 1787, resolve, "That in the opinion of Congress it is expedient that on the second Monday in May next, a convention of delegates, who shall have been appointed by the several states, to be held at Philadelphia, for the sole and express purpose of revising the articles of confeder-



tion, and reporting to Congress and the several legislatures, such alterations and provisions therein, as shall, when agreed to in Congress, and confirmed by the states, render the federal constitution adequate to the exigencies of government and the preservation of the union." And whereas the general court have constituted and appointed you their delegates, to attend and represent this commonwealth in the said proposed convention, and have, by a resolution of theirs of the 10th of March last, requested me to commission you for that purpose.

Now therefore know ye, that in pursuance of the resolutions aforesaid, I do, by these presents, commission you the said Francis Dana, Elbridge Gerry, Nathaniel Gorham, Rufus King and Caleb Strong, Esqrs. or any three of you, to meet such delegates as may be appointed by the other or any of the other states in the union, to meet in convention at Philadelphia, at the time and for the purposes aforesaid.

In testimony whereof, I have caused the public seal of the commonwealth aforesaid to be hereunto affixed.

Given at the council chamber, in Boston, the ninth day of April, A. D. 1787, and in the eleventh year of the independence of the United States of America.

JAMES BOWDOIN.

By His Excellency's command,  
JOHN AVERY, jun. Sec'ry.

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STATE OF CONNECTICUT.

(L. S.) *At a General Assembly of the State of Connecticut, in America, holden at Hartford, on the second Thursday of May, A. D. 1787.*

*An act for appointing Delegates to meet in a Convention of the States, to be held at the City of Philadelphia, on the second Monday of May instant.*

WHEREAS the Congress of the United States, by their act of the 21st of February, 1787, have recommended, that on the second Monday of May inst. a convention of delegates, who shall have been appointed by the several states, be held at Philadelphia, for the sole and express purpose of revising the articles of confederation.

Be it enacted by the governor, council and representatives, in general court assembled, and by the authority of the same,

That the honorable William Samuel Johnson, Roger Sherman and Oliver Ellsworth, Esqrs. be, and they hereby are appointed delegates to attend the said convention, and are requested to proceed to the city of Philadelphia, for that purpose, without delay; and the said delegates, and in case of sickness or accident, such one or more of them as shall actually attend the said convention, is, and are hereby authorized and empowered to represent this state therein, and to confer with such delegates appointed by the several states, for the purposes mentioned in the said act of Congress, that may be present and duly empowered to act in said convention, and to discuss upon such alterations and provisions, agreeable to the general principles of republican government, as they shall think proper to render the federal constitution adequate to the ex-

igencies of government and the preservation of the union; and they are further directed, pursuant to the said act of Congress, to report such alterations and provisions as may be agreed to by a majority of the United States represented in convention, to the Congress of the United States, and to the general assembly of this state.

A true copy of record,

Examined

By GEORGE WYLLYS, Sec'ry.

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STATE OF NEW-YORK.

(L. S.) *By His Excellency George Clinton, Esq; Governor of the State of New-York, General and Commander in Chief of all the militia, and Admiral of the navy of the same:*

To all to whom these presents shall come.

It is by these presents certified, that John M'Kesson, who has subscribed the annexed copies of resolutions, is clerk of the assembly of this state.

In testimony whereof, I have caused the privy seal of the said state to be hereunto affixed, this ninth day of May, in the eleventh year of the independence of the said state.

GEO. CLINTON.

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STATE OF NEW-YORK.

*In Assembly, February 28, 1787.*

A copy of a resolution of the honorable the senate, delivered by Mr. Williams, was read, and is in the words following, viz.

*Resolved,* If the honorable the assembly concur therein, that three delegates be appointed, on the part of this state, to meet such delegates as may be appointed, on the part of the other states, respectively, on the second Monday in May next, at Philadelphia, for the sole and express purpose of revising the articles of confederation, and reporting to Congress, and to the several legislatures, such alterations and provisions therein, as shall, when agreed to in Congress, and confirmed by the several states, render the federal constitution adequate to the exigencies of government, and the preservation of the union; and that in case of such concurrence, the two houses of the legislature, will, on Tuesday next, proceed to nominate and appoint the said delegates, in like manner as is directed by the constitution of this state, for nominating and appointing delegates to Congress.

*Resolved,* That this house do concur with the honorable the senate in the said resolution.

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*In Assembly, March 6, 1787.*

*Resolved,* That the honorable Robert Yates, Esq; and Alexander Hamilton and John Lansing, jun. Esqrs. be, and they are hereby nominated by this house, delegates on the part of this state, to meet such delegates as may be appointed, on the part of the other states, respectively, on the second Monday in May next, at Philadelphia, pursuant

to concurrent resolutions, of both houses of the legislature, on the 28th ultimo.

*Resolved*, That this house will meet the honorable the senate, immediately, at such place as they shall appoint, to compare the lists of persons nominated by the senate and assembly, respectively, as delegates on the part of this state, to meet such delegates as may be appointed on the part of the other states, respectively, on the second Monday in May next, at Philadelphia, pursuant to concurrent resolutions of both houses of the legislature, on the 28th ultimo.

*Ordered*, That Mr. N. Smith deliver a copy of the last preceding resolution, to the honorable the senate.

A copy of a resolution of the honorable the senate, was delivered by Mr. Vanderbilt, that the senate will immediately meet this house in the assembly chamber, to compare the lists of persons nominated by the senate and assembly, respectively, as delegates, pursuant to the resolutions before-mentioned.

The honorable the senate accordingly attended in the assembly chamber, to compare the lists of persons nominated for delegates, as above-mentioned.

The list of persons nominated by the honorable the senate, were the hon. Robert Yates, Esq; and John Lansing, jun. and Alexander Hamilton, Esqrs. and on comparing the lists of the persons nominated by the senate and assembly respectively, it appeared that the same persons were nominated in both lists; thereupon *Resolved*, That the hon. Robert Yates, John Lansing, jun. and Alexander Hamilton, Esqrs. be, and they are hereby declared duly nominated and appointed delegates, on the part of this state, to meet such delegates as may be appointed on the part of the other states respectively, on the second Monday in May next, at Philadelphia, for the sole and express purpose of revising the articles of confederation, and reporting to Congress, and to the several legislatures, such alterations and provisions therein, as shall, when agreed to in Congress, and confirmed by the several states, render the federal constitution adequate to the exigencies of government, and the preservation of the union.

True extracts from the journals of the assembly,

JOHN M'KESSON, *Clerk.*

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### THE STATE OF NEW-JERSEY.

*To the Honorable David Brearly, William Churchill Houston, William Patterson and John Neilson, Esqrs. greeting.*

THE council and assembly reposing especial trust and confidence in your integrity, prudence and ability, have, at a joint meeting, appointed you the said David Brearly, William Churchill Houston, William Patterson and John Neilson, Esqrs. or any three of you, commissioners, to meet such commissioners, as have been or may be appointed by the other states in the union, at the city of Philadelphia, in the commonwealth of Pennsylvania, on the second Monday in May next, for the purpose of taking into consideration the state of the union, as to trade and other important objects, and of devising such other provisi-

ons as shall appear to be necessary to render the constitution of the federal government adequate to the exigencies thereof.

In testimony whereof the great seal of the state is hereunto affixed.

Witness, William Livingston, Esq; governor, captain-general and commander in chief in and over the state of New-Jersey, and territories thereunto belonging, chancellor and ordinary in the same, at Trenton, the 23d day of November, in the year of our Lord 1786, and of our sovereignty and independence the eleventh.

WILLIAM LIVINGSTON.

By his Excellency's command,  
BOWES REED, Sec'ry.

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THE STATE OF NEW-JERSEY.

(L. S.) *To his Excellency William Livingston, and the Honorable Abraham Clark, Esqrs. greeting.*

THE council and assembly reposing especial trust and confidence in your integrity, prudence and ability, have, at a joint meeting, appointed you the said William Livingston and Abraham Clark, Esqrs. in conjunction with the hon. David Brearly, William Churchill Houston and William Patterson, Esqrs. or any three of you, commissioners, to meet such commissioners as have been appointed by the other states in the union, at the city of Philadelphia, in the commonwealth of Pennsylvania, on the second Monday of this present month, for the purpose of taking into consideration the state of the union, as to trade and other important objects, and of devising such other provisions as shall appear to be necessary, to render the constitution of the federal government adequate to the exigencies thereof.

In testimony whereof the great seal of the state is hereunto affixed.

Witness, William Livingston, Esq; governor, captain-general and commander in chief in and over the state of New-Jersey, and territories thereunto belonging, chancellor and ordinary in the same, at Burlington, the 8th day of May, in the year of our Lord 1787, and of our sovereignty and independence the eleventh.

WIL. LIVINGSTON.

By his Excellency's command,  
BOWES REED, Sec'ry.

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STATE OF NEW-JERSEY.

*To the Honorable Jonathan Dayton, Esq;*

THE council and assembly, reposing especial trust and confidence in your integrity, prudence and ability, have, at a joint meeting, appointed you the said Jonathan Dayton, Esq; in conjunction with his excellency William Livingston, the honorable David Brearly, William Churchill Houston, William Patterson and Abraham Clark, Esqrs. or any three of you, commissioners, to meet such commissioners as have been appointed by the other states in the union, at the city of Philadelphia, in the commonwealth of Pennsylvania, for the purpose of taking into consideration the state of the union, as to trade and other im-

portant objects, and of devising such other provision as shall appear to be necessary to render the constitution of the federal government adequate to the exigencies thereof.

In testimony whereof the great seal of the state is hereunto affixed.

Witness, Robert Lettice Hooper, Esq; vice-president, captain-general and commander in chief in and over the state of New-Jersey, and territories thereunto belonging, chancellor and ordinary in the same, at Burlington, the fifth day of June, in the year of our Lord 1787, and of our sovereignty and independence the 11th.

ROBERT L. HOOPER.

By his Honor's command,  
BOWES REED, Sec'ry.

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### COMMONWEALTH OF PENNSYLVANIA.

*An act appointing Deputies to the Convention intended to be held in the City of Philadelphia, for the purpose of revising the Federal Constitution.*

Sec. 1. **W**HEREAS the general assembly of this commonwealth, taking into their serious consideration the representations heretofore made to the legislatures of the several states in the union, by the United States in Congress assembled, and also weighing the difficulties under which the confederated states now labour, are fully convinced of the necessity of revising the federal constitution, for the purpose of making such alterations and amendments as the exigencies of our public affairs require. And whereas the legislature of the state of Virginia have already passed an act of that commonwealth, empowering certain commissioners to meet at the city of Philadelphia, in May next, a convention of commissioners or deputies from the different states; and the legislature of this state are fully sensible of the important advantages which may be derived to the United States, and every of them, from co-operating with the commonwealth of Virginia, and the other states of the confederation, in the said design.

Sec. 2. *Be it enacted, and it is hereby enacted* by the representatives of the freemen of the commonwealth of Pennsylvania in general assembly met, and by the authority of the same, That Thomas Mifflin, Robert Morris, George Clymer, Jared Ingersoll, Thomas Fitzsimons, James Wilson and Gouverneur Morris, Esqrs. are hereby appointed deputies from this state, to meet in the convention of the deputies of the respective states of North-America, to be held at the city of Philadelphia, on the 2d day of the month of May next; and the said Thomas Mifflin, Robert Morris, George Clymer, Jared Ingersoll, Thomas Fitzsimons, James Wilson and Gouverneur Morris, Esqrs. or any four of them, are hereby constituted and appointed deputies from this state, with powers to meet such deputies as may be appointed and authorized by the other states, to assemble in the said convention, at the city aforesaid, and to join with them in devising, deliberating on and discussing all such alterations, and further provisions, as may be necessary, to render the federal constitution fully adequate to the exigencies of the union, and in reporting such act or acts, for that purpose, to the United States in Con-

gress assembled, as when agreed to by them, and duly confirmed by the several states, will effectually provide for the same.

Sec. 3. *And be it further enacted by the authority aforesaid,* That in case any of the said deputies hereby nominated, shall happen to die, or to resign his or their said appointment or appointments, the supreme executive council shall be, and hereby are empowered and required, to nominate and appoint other person or persons in lieu of him or them so deceased, or who has or have so resigned, which person or persons, from and after such nomination and appointment, shall be, and hereby are declared to be vested with the same powers respectively, as any of the deputies nominated and appointed by this act, is vested with by the same: *Provided always,* That the council are not hereby authorized, nor shall they make any such nomination or appointment, except in vacation and during the recess of the general assembly of this state.

† † † †  
L. S.  
† † † †

Signed by order of the House,

THOMAS MIFFLIN, *Speaker.*

Enacted into a law at Philadelphia, on Saturday, December the 30th, in the year of our Lord 1786.

PETER ZACHARY LLOYD,

*Clerk of the General Assembly.*

I Matthew Irwine, Esq; master of the rolls for the state of Pennsylvania, do certify the preceding writing to be a true copy (or exemplification) of a certain act of assembly lodged in my office.

† † † † In witness whereof, I have hereunto set my hand and seal of  
L. S.  
† † † † office, the 15th May, A. D. 1787.

MATTHEW IRWINE, M. R.

A supplement to the act entitled "An act appointing deputies to the convention intended to be held in the city of Philadelphia, for the purpose of revising the federal constitution."

Sec. 1st. Whereas by the act to which this act is a supplement, certain persons were appointed as deputies from this state to sit in the said convention. And whereas it is the desire of the general assembly, that his excellency Benjamin Franklin, Esq; president of this state, should also sit in the said convention, as a deputy from this state; therefore,

Sec. 2d. *Be it enacted, and it is hereby enacted* by the representatives of the freemen of the commonwealth of Pennsylvania, in general assembly met, and by the authority of the same, that his excellency Benjamin Franklin, Esq; be, and he is hereby appointed and authorized to sit in the said convention as a deputy from this state, in addition to the persons heretofore appointed; and that he be, and he hereby is invested with like powers and authorities as are invested in the said deputies or any of them.

Signed by order of the House,

THOMAS MIFFLIN, *Speaker.*

Enacted into a law at Philadelphia, on Wednesday the 28th day of March, in the year of our Lord 1787.

PETER ZACHARY LLOYD,

*Clerk of the General Assembly.*

I Matthew Irwine, Esq; master of the rolls for the state of Penn-

Pennsylvania, do certify the above to be a true copy (or exemplification) of a supplement to a certain act of assembly, which supplement is lodged in my office.

†††† In witness whereof, I have hereunto set my hand and seal of  
L. S. † office, the 15th May, A. D. 1787.

MATTHEW IRWINE, M. R.

DELAWARE.

His Excellency Thomas Collins, Esq; President, Captain-general and  
Commander in Chief of the Delaware State: To all to whom  
†††† these presents shall come, greeting: KNOW YE, that among  
L. S. † the laws of the said State, passed by the General Assembly of  
†††† the same, on the 3d day of February, in the year of our Lord  
1787, it is thus enrolled:

In the eleventh year of the independence of the Delaware state:  
An act appointing Deputies from this State to the Convention pro-  
posed to be held in the City of Philadelphia, for the purpose of re-  
vising the Federal Constitution.

WHEREAS the general assembly of this state are fully convinced of the necessity of revising the federal constitution, and adding thereto such further provisions, as may render the same more adequate to the exigencies of the union: And whereas the legislature of Virginia have already passed an act of that commonwealth, appointing and authorizing certain commissioners to meet at the city of Philadelphia, in May next, a convention of commissioners or deputies from the different states: And this state being willing and desirous of co-operating with the commonwealth of Virginia, and the other states in the confederation, in so useful a design.

Be it therefore enacted by the general assembly of Delaware, That George Read, Gunning Bedford, John Dickinson, Richard Basset and Jacob Broom, Esqrs. are hereby appointed deputies from this state to meet in the convention of the deputies of other states, to be held at the city of Philadelphia, on the 2d day of May next: And the said George Read, Gunning Bedford, John Dickinson, Richard Basset and Jacob Broom, Esqrs. or any three of them, are hereby constituted and appointed deputies from this state, with powers to meet such deputies as may be appointed and authorized by the other states to assemble in the said convention at the city aforesaid, and to join with them in devising, deliberating on, and discussing such alterations and further provisions as may be necessary to render the federal constitution adequate to the exigencies of the union; and in reporting such act or acts for that purpose to the United States in Congress assembled, as when agreed to by them, and duly confirmed by the several states, may effectually provide for the same. So always and provided, that such alterations or further provisions, or any of them, do not extend to that part of the 5th article of the confederation of the said states, finally ratified on the first day of March, in the year 1781, which declares that, "In determining questions in the United States in Congress assembled, each state shall have one vote."

*And be it enacted,* That in case any of the said deputies hereby nominated, shall happen to die, or to resign his or their appointment, the president or commander in chief, with the advice of the privy council, in the recess of the general assembly, is hereby authorized to supply such vacancies.

Passed at Dover, } Signed by order of the House of Assembly,  
February 3, 1787. } JOHN COOK, *Speaker.*  
Signed by order of the Council,  
GEO. CRAGGED, *Speaker.*

All and singular which premises by the tenor of these presents, I have caused to be exemplified. In testimony whereof, I have hereunto subscribed my name, and caused the great seal of the said state to be affixed to these presents, at New-Castle, the 2d day of April, in the year of our Lord 1787, and in the 11th year of the independence of the United States of America.

Attest : THOMAS COLLINS.  
JAMES BOOTH, *Sec'ry.*

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STATE OF MARYLAND.

*An act for the appointment of, and conferring powers in deputies from this State to the Federal Convention.*

*Be it enacted by the general assembly of Maryland,* That the honorable James M'Henry, Daniel of Saint Thomas Jenifer, Daniel Carroll, John Francis Mercer, and Luther Martin, Esqrs. be appointed and authorized on behalf of this state, to meet such deputies as may be appointed and authorized by any other of the United States, to assemble in convention at Philadelphia, for the purpose of revising the federal system, and to join with them in considering such alterations and further provisions as may be necessary to render the federal constitution adequate to the exigencies of the union; and in reporting such an act for that purpose, to the United States in Congress assembled, as when agreed to by them, and duly confirmed by the several states, will effectually provide for the same; and the said deputies, or such of them as shall attend the said convention, shall have full power to represent this state for the purposes aforesaid; and the said deputies are hereby directed to report the proceedings of the said convention, and any act agreed to therein, to the next session of the general assembly of this state.

By the House of Delegates, May 26, 1787.

Read and assented to,

By order, WM. HARWOOD, *Clerk.*

True copy from the original,

WM. HARWOOD, *Clerk, H. D.*

By the Senate, May 26, 1787,

Read and assented to,

By order, J. DORSEY, *Clerk.*

True copy from the original,

J. DORSEY, *Clerk Senate.*

W. SMALLWOOD.



## COMMONWEALTH OF VIRGINIA.

*General Assembly begun and held at the public buildings in the City of Richmond, on Monday the 16th day of October, in the year of our Lord 1786.*

*An act for appointing Deputies from this Commonwealth to a Convention proposed to be held in the City of Philadelphia, in May next, for the purpose of revising the Federal Constitution.*

WHEREAS the commissioners who assembled at Annapolis, on the 14th day of September last, for the purpose of devising and reporting the means of enabling Congress to provide effectually for the commercial interests of the United States, have represented the necessity of extending the revision of the federal system to all its defects, and have recommended that deputies for that purpose be appointed by the several legislatures, to meet in convention, in the city of Philadelphia, on the 2d day of May next, a provision which was preferable to a discussion of the subject in Congress, where it might be too much interrupted by the ordinary business before them, and where it would besides be deprived of the valuable counsels of sundry individuals who are disqualified by the constitution or laws of particular states, or restrained by peculiar circumstances from a seat in that assembly: And whereas the general assembly of this commonwealth taking into view the actual situation of the confederacy, as well as reflecting on the alarming representations made, from time to time, by the United States in Congress, particularly in their act of the 15th day of February last, can no longer doubt that the crisis is arrived at which the good people of America are to decide the solemn question, whether they will by wise and magnanimous efforts, reap the just fruits of that independence which they have so gloriously acquired, and of that union which they have cemented with so much of their common blood, or whether by giving way to unmanly jealousies and prejudices, or to partial and transitory interests, they will renounce the auspicious blessings prepared for them by the revolution, and furnish to its enemies an eventual triumph over those by whose virtue and valour it has been accomplished: And whereas the same noble and extended policy, and the same fraternal and affectionate sentiments which originally determined the citizens of this commonwealth to unite with their brethren of the other states in establishing a federal government, cannot but be felt with equal force now as motives to lay aside every inferior consideration, and to concur in such farther concessions and provisions as may be necessary to secure the great objects for which that government was instituted, and to render the United States as happy in peace as they have been glorious in war.

*Be it therefore enacted by the general assembly of the commonwealth of Virginia,* That seven commissioners be appointed by joint ballot of both houses of assembly, who, or any three of them, are hereby authorized as deputies from this commonwealth, to meet such deputies as may be appointed and authorized by other states, to assemble in convention at Philadelphia as above recommended, and to join with them in devising and discussing all such alterations and farther provisions as may be necessary to render the federal constitution adequate to the exigencies of the union; and in reporting such an act for that purpose to

the United States in Congress, as when agreed to by them, and duly confirmed by the several states, will effectually provide for the same.  
*And be it further enacted,* That in case of the death of any of the said deputies, or of their declining their appointments, the executive are hereby authorized to supply such vacancies: And the governor is requested to transmit forthwith a copy of this act to the United States in Congress, and to the executives of each of the states in the union.

(Signed) JOHN JONES, *Speaker of the Senate.*  
 JOSEPH PRENTIS, *Speaker of the House of Delegates.*

A true copy from the enrollment,  
 JOHN BECKLEY, *Clerk H. D.*

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### IN THE HOUSE OF DELEGATES.

*Monday the 4th of December, 1786.*

THE house, according to the order of the day, proceeded, by joint ballot with the senate, to the appointment of seven deputies, from this commonwealth, to a convention proposed to be held in the city of Philadelphia, in May next, for the purpose of revising the federal constitution, and the members having prepared tickets with the names of the persons to be appointed, and deposited the same in the ballot-boxes, Mr. Corbin, Mr. Matthews, Mr. David Stuart, Mr. George Nicholas, Mr. Richard Lee, Mr. Wills, Mr. Thomas Smith, Mr. Goodall and Mr. Turberville, were nominated a committee to meet a committee from the senate, in the conference chamber, and jointly with them to examine the ballot-boxes, and report to the house on whom the majority of the votes should fall. The committee then withdrew, and after some time returned into the house, and reported that the committee had, according to order, met a committee from the senate, in the conference chamber, and jointly with them examined the ballot-boxes, and found a majority of votes in favor of George Washington, Patrick Henry, Edmund Randolph, John Blair, James Madison, George Mason and George Wythe, Esqrs.

Extract from the journal,

JOHN BECKLEY, *Clerk House Delegates.*

Attest: JOHN BECKLEY, *Clerk H. D.*

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### IN THE HOUSE OF SENATORS.

*Monday the 4th of December, 1786.*

The senate, according to the order of the day, proceeded, by joint ballot with the house of delegates, to the appointment of seven deputies, from this commonwealth, to a convention proposed to be held in the city of Philadelphia, in May next, for the purpose of revising the federal constitution; and the members having prepared tickets, with the names of the persons to be appointed, and deposited the same in the ballot-boxes, Mr. Anderson, Mr. Nelson and Mr. Lee, were nominated a committee to meet a committee from the house of delegates, in the conference chamber, and jointly with them to examine the bal-

lot-boxes, and report to the house on whom the majority of votes should fall. The committee then withdrew, and after some time returned into the house and reported, that the committee had, according to order, met a committee from the house of delegates, in the conference chamber, and jointly with them examined the ballot-boxes, and found a majority of votes in favor of George Washington, Patrick Henry, Edmund Randolph, John Blair, James Madison, George Mason and George Wythe, Esqrs.

Extract from the journal,

JOHN BECKLEY, *Clerk H. D.*

Attest: H. BROOK, *Clerk.*

(L. S.)

VIRGINIA, *to wit.*

I do hereby certify and make known, to all to whom it may concern, That John Beckley, Esq; is clerk of the house of delegates, for this commonwealth, and the proper officer for attesting the proceedings of the general assembly of the said commonwealth, and that full faith and credit ought to be given to all things attested by the said John Beckley, Esq; by virtue of his office aforesaid.

Given under my hand, as governor of the commonwealth of Virginia, and under the seal thereof, at Richmond, this fourth day of May, 1787.

EDM. RANDOLPH.

†††††  
L. S.  
†††††

VIRGINIA, *to wit.*

I do hereby certify, that Patrick Henry, Esq; one of the seven commissioners, appointed by joint ballot of both houses of assembly of the commonwealth of Virginia, authorized as a deputy therefrom, to meet such deputies as might be appointed and authorized by other states, to assemble in Philadelphia, and to join with them in devising and discussing all such alterations and further provisions, as might be necessary to render the federal constitution adequate to the exigencies of the union; and in reporting such an act for that purpose to the United States in Congress, as when agreed to by them and duly confirmed by the several states, might effectually provide for the same, did decline his appointment aforesaid; and thereupon in pursuance of an act of the general assembly of the said commonwealth, entitled, "An act for appointing deputies from this commonwealth, to a convention proposed to be held in the city of Philadelphia, in May next, for the purpose of revising the federal constitution:" I do hereby with the advice of the council of state, supply the said vacancy by nominating James M'Clurg, Esq; a deputy for the purposes aforesaid.

Given under my hand as governor of the said commonwealth, and under the seal thereof, this second day of May, in the year of our Lord 1787.

EDM. RANDOLPH.

THE STATE OF NORTH-CAROLINA.

*To the Honorable Alexander Martin, Esq; greeting.*

WHEREAS our general assembly, in their late session, holden at  
VOL. XIII. T

Fayette-Ville, by adjournment, in the month of January last, did by joint ballot of the senate and house of commons, elect Richard Caswell, Alexander Martin, William Richardson Davie, Richard Dobbs Spaight and Willie Jones, Esqrs. deputies to attend a convention of delegates from the several United States of America, proposed to be held at the city of Philadelphia, in May next, for the purpose of revising the federal constitution.

We do therefore, by these presents, nominate, commissionate and appoint you the said Alexander Martin, one of the deputies for and in our behalf, to meet with our other deputies at Philadelphia, on the first day of May next, and with them, or any two of them, to confer with such deputies as may have been, or shall be appointed by the other states, for the purposes aforesaid: To hold, exercise and enjoy the appointment aforesaid, with all powers, authorities and emoluments to the same belonging, or in any wise appertaining, you conforming, in every instance, to the act of our said assembly under which you are appointed.

Witness, Richard Caswell, Esq; our governor, captain-general and commander in chief, under his hand and our great seal, at Kinston, the 24th day of February, in the eleventh year of our independence, A. D. 1787.

By his Excellency's command,  
WINSTON CASWELL, *P. Sec'ry.*

RICH. CASWELL.

† † †  
† L. S. †  
† † †

### THE STATE OF NORTH-CAROLINA.

*To the Honorable William Richardson Davie, Esq; greeting.*

WHEREAS our general assembly in their late session, holden at Fayette-Ville, by adjournment, in the month of January last, did by joint ballot of the senate and house of commons, elect Richard Caswell, Alexander Martin, William Richardson Davie, Richard Dobbs Spaight and Wille Jones, Esqrs. deputies to attend a convention of delegates from the several United States of America, proposed to be held in the city of Philadelphia, in May next, for the purpose of revising the federal constitution.

We do therefore, by these presents, nominate, commissionate and appoint you the said William Richardson Davie, one of the deputies for and in our behalf, to meet with our deputies at Philadelphia, on the first day of May next, and with them, or any two of them, to confer with such deputies as may have been, or shall be appointed by the other states, for the purposes aforesaid: To hold, exercise and enjoy the said appointment, with all powers, authorities and emoluments to the same belonging, or in any wise appertaining, you conforming, in every instance, to the act of our said assembly under which you are appointed.

Witness, Richard Caswell, Esq; our governor, captain-general and commander in chief, under his hand and our great seal, at Kinston, the 24th day of February, in the eleventh year of our independence, Anno Dom. 1787.

By his Excellency's command,  
WINSTON CASWELL, *P. Sec'ry.*

RICH. CASWELL.

}} L. S. {{

## THE STATE OF NORTH-CAROLINA.

*To the Honorable Richard Dobbs Spaight, Esq; greeting.*

WHEREAS our general assembly, in their late session, holden at Fayette-Ville, by adjournment, in the month of January last, did elect you the said Richard Dobbs Spaight, with Richard Caswell, Alexander Martin, William Richardson Davie and Willie Jones, Esqrs. deputies to attend a convention of delegates from the several United States of America, proposed to be held in the city of Philadelphia, in May next, for the purpose of revising the federal constitution.

We do therefore, by these presents, nominate, commissionate and appoint you the said Richard Dobbs Spaight, one of the deputies for and in behalf of us, to meet with our other deputies at Philadelphia, on the first day of May next, and with them, or any two of them, to confer with such deputies as may have been, or shall be appointed by the other states, for the purposes aforesaid: To hold, exercise and enjoy the said appointment, with all powers, authorities and emoluments to the same incident and belonging, or in any wise appertaining, you conforming, in every instance, to the act of our assembly under which you were appointed.

Witness, Richard Caswell, Esq; our governor, captain-general and commander in chief, under his hand and our great seal, at Kingston, the 14th day of April, in the eleventh year of our independence Anno Dom. 1787.

RICH. CASWELL.

By his Excellency's command,  
WINSTON CASWELL, *P. Sec'ry.*

}}L. S.}}

## STATE OF NORTH-CAROLINA.

*His Excellency Richard Caswell, Esq; Governor, Captain-General and Commander in Chief, in and over the State aforesaid.*

To all to whom these presents shall come, greeting.

WHEREAS by an act of the general assembly of the said state, passed the 6th day of January last, entitled, "An act for appointing deputies from this state to a convention proposed to be held in the city of Philadelphia, in May next, for the purpose of revising the federal constitution," among other things it is enacted, "That five commissioners be appointed by joint ballot of both houses of assembly, who, or any three of them, are hereby authorized as deputies from this state, to meet at Philadelphia, on the 1st day of May next, then and there to meet and confer with such deputies as may be appointed by the other states for similar purposes, and with them to discuss and decide upon the most effectual means to remove the defects of our federal union, and to procure the enlarged purposes which it was intended to effect; and that they report such an act to the general assembly of this state, as, when agreed to by them, will effectually provide for the same:" And it is by the said act further enacted, "That in case of the death or resignation of any of the deputies, or of their declining their appointments, his excellency the governor, for the time being, is hereby authorized to supply such vacancies." And whereas in consequence of the

said act, Richard Caswell, Alexander Martin, William Richardson Davie, Richard Dobbs Spaight and Willie Jones, Esqrs. were by joint ballot of the two houses of assembly, elected deputies for the purposes aforesaid: And whereas the said Richard Caswell hath resigned his said appointment as one of the deputies aforesaid:

*Now know ye*, That I have appointed, and by these presents do appoint the hon. William Blount, Esq; one of the deputies to represent this state in the convention aforesaid, in the room and stead of the aforesaid Richard Caswell, hereby giving and granting to the said William Blount, the same powers, privileges and emoluments which the said Richard Caswell would have been vested with or entitled to, had he continued in the appointment aforesaid.

Given under my hand and the great seal of the state, at Kinston, the 23d day of April, Anno Dom. 1787, and in the eleventh year of American independence.

By his Excellency's command,  
WINSTON CASWELL, *P. Sec'ry.*

RICH. CASWELL.



STATE OF NORTH-CAROLINA.

*His Excellency Richard Caswell, Esq; Governor, Captain-General and Commander in Chief, in and over the State aforesaid.*

To all to whom these presents shall come, greeting.

WHEREAS by an act of the general assembly of the said state, passed the 6th day of January last, entitled, "An act for appointing deputies from this state to a convention proposed to be held in the city of Philadelphia, in May next, for the purpose of revising the federal constitution," among other things it is enacted, "That five commissioners be appointed by joint ballot of both houses of assembly, who, or any three of them, are hereby authorized as deputies from this state, to meet at Philadelphia, on the first day of May next, then and there to meet and confer with such deputies as may be appointed by the other states for similar purposes, and with them to discuss and decide upon the most effectual means to remove the defects of our federal union, and to procure the enlarged purposes which it was intended to effect, and that they report such an act to the general assembly of this state, as when agreed to by them, will effectually provide for the same." And it is by the said act further enacted, "That in case of the death or resignation of any of the deputies, or their declining their appointments, his excellency the governor, for the time being, is hereby authorized to supply such vacancies.

And whereas in consequence of the said act, Richard Caswell, Alexander Martin, William Richardson Davie, Richard Dobbs Spaight, and Willie Jones, Esqrs. were by joint ballot of the two houses of assembly elected deputies for the purposes aforesaid. And whereas the said Willie Jones hath declined his appointment as one of the deputies aforesaid.

*Now know ye*, That I have appointed, and by these presents do appoint the honorable Hugh Williamson, Esq; one of the deputies to represent this state in the convention aforesaid, in the room and stead

of the aforesaid Willie Jones, hereby giving and granting to the said Hugh Williamson the same powers, privileges and emoluments which the said Willie Jones would have been vested with and entitled to, had he acted under the appointment aforesaid.

Given under my hand and the great seal of the state, at Kinston, the 3d day of April, Anno Dom. 1787, and in the eleventh year of American independence.

RICH. CASWELL.

By his Excellency's command,  
DALLAM CASWELL, *Pro. Sec'ry.*

(( L. S. ))

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STATE OF SOUTH-CAROLINA.

*By his Excellency Thomas Pinckney, Esq; Governor and Commander in Chief, in and over the State aforesaid.*

*To the Honorable John Rutledge, Esq; greeting.*

BY virtue of the power and authority in me vested, by the legislature of this state, in their act passed the 8th day of March last, I do hereby commission you the said John Rutledge, as one of the deputies appointed from this state, to meet such deputies or commissioners as may be appointed and authorized by other of the United States to assemble in convention, at the city of Philadelphia, in the month of May next, or as soon thereafter as may be, and to join with such deputies or commissioners, (they being duly authorized and empowered) in devising and discussing all such alterations, clauses, articles and provisions, as may be thought necessary to render the federal constitution entirely adequate to the actual situation and future good government of the confederated states, and that you, together with the said deputies or commissioners, or a majority of them who shall be present, (provided the state be not represented by less than two) do join in reporting such an act to the United States in Congress assembled, as when approved and agreed to by them, and duly ratified and confirmed by the several states, will effectually provide for the exigencies of the union.

Given under my hand and the great seal of the state, in the city of Charleston, this 10th day of April, in the year of our Lord 1787, and of the sovereignty and independence of the United States of America the eleventh.

THOMAS PINCKNEY.

By his Excellency's command,  
PETER FRENEAU, *Sec'ry.*

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◆L. S.◆  
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STATE OF SOUTH-CAROLINA.

*By his Excellency Thomas Pinckney, Esq; Governor and Commander in Chief, in and over the State aforesaid.*

*To the Honorable Charles Pinckney, Esq; greeting.*

BY virtue of the power and authority in me vested by the legislature of this state, in their act passed the 8th day of March last, I do hereby commission you the said Charles Pinckney, as one of the de-

puties appointed from this state, to meet such deputies or commissioners as may be appointed and authorized by other of the United States, to assemble in convention at the city of Philadelphia, in the month of May next, or as soon thereafter as may be, and to join with such deputies or commissioners, (they being duly authorized and empowered) in devising and discussing all such alterations, clauses, articles and provisions, as may be thought necessary to render the federal constitution entirely adequate to the actual situation and future good government of the confederated states, and that you, together with the said deputies or commissioners, or a majority of them who shall be present, (provided the state be not represented by less than two) do join in reporting such an act, to the United States in Congress assembled, as when approved and agreed to by them, and duly ratified and confirmed by the several states, will effectually provide for the exigencies of the union.

Given under my hand and the great seal of the state, in the city of Charleston, this 10th day of April, in the year of our Lord 1787, and of the sovereignty and independence of the United States of America the eleventh.

THOMAS PINCKNEY.

By his Excellency's command,  
PETER FRENEAU, *Sec'ry.*



STATE OF SOUTH-CAROLINA.

*By his Excellency Thomas Pinckney, Esq; Governor and Commander in Chief, in and over the State aforesaid.*

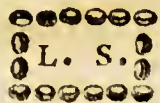
*To the Honorable Charles Cotesworth Pinckney, Esq; greeting.*

By virtue of the power and authority in me vested by the legislature of this state, in their act passed the 8th day of March last, I do hereby commission you the said Charles Cotesworth Pinckney, as one of the deputies appointed from this state, to meet such deputies or commissioners as may be appointed and authorized by other of the United States, to assemble in convention at the city of Philadelphia, in the month of May next, or as soon thereafter as may be, and to join with such deputies or commissioners, (they being duly authorized and empowered) in devising and discussing all such alterations, clauses, articles and provisions, as may be thought necessary to render the federal constitution entirely adequate to the actual situation and future good government of the confederated states, and that you, together with the said deputies or commissioners, or a majority of them who shall be present, (provided the state be not represented by less than two) do join in reporting such an act, to the United States in Congress assembled, as when approved and agreed to by them, and duly ratified and confirmed by the several states, will effectually provide for the exigencies of the union.

Given under my hand and the great seal of the state, in the city of Charleston, this 10th day of April, in the year of our Lord 1787, and of the sovereignty and independence of the United States of America the eleventh.

THOMAS PINCKNEY.

By his Excellency's command,  
PETER FRENEAU, *Sec'ry.*





## STATE OF SOUTH-CAROLINA.

*By His Excellency Thomas Pinckney, Esq; Governor and Commander in Chief, in and over the State aforesaid.*

*To the Honorable Pierce Butler, Esq; greeting.*

BY virtue of the power and authority in me vested by the legislature of this state, in their act passed the 8th day of March last, I do hereby commission you the said Pierce Butler, as one of the deputies appointed from this state, to meet such deputies or commissioners as may be appointed or authorized by other of the United States, to assemble in convention at the city of Philadelphia, in the month of May next, or as soon thereafter as may be, and to join with such deputies or commissioners, (they being duly authorized and empowered) in devising and discussing all such alterations, clauses, articles and provisions, as may be thought necessary to render the federal constitution entirely adequate to the actual situation and future good government of the confederated states, and that you, together with the said deputies or commissioners, or a majority of them who shall be present, (provided the state be not represented by less than two) do join in reporting such an act, to the United States in Congress assembled, as when approved and agreed to by them, and duly ratified and confirmed by the several states, will effectually provide for the exigencies of the union.

Given under my hand and the great seal of the state, in the city of Charleston, this 10th day of April, in the year of our Lord 1787, and of the sovereignty and independence of the United States of America the eleventh.

THOMAS PINCKNEY.

By his Excellency's command,  
*PETER FRENEAU, Sec'ry.*




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G E O R G I A.

*By the Honorable George Mathews, Esq; Captain-General, Governor and Commander in Chief, in and over the said State aforesaid.*

To all to whom these presents shall come, greeting.

*GEO. MATHEWS.*  
*(L. S.)* KNOW YE, That John Milton, Esq; who hath certified the annexed copy of an ordinance, entitled "An ordinance for the appointment of deputies from this state, for the purpose of revising the federal constitution," is secretary of the said state, in whose office the archives of the same are deposited: Therefore, all due faith, credit and authority, are and ought to be had and given the same.

In testimony whereof, I have hereunto set my hand, and caused the great seal of the said state to be put and affixed, at Augusta, this 24th day of April, in the year of our Lord 1787, and of our sovereignty and independence the eleventh.

By his Honor's command,  
*J. MILTON.*

*An Ordinance for the appointment of Deputies from this State, for the purpose of revising the Federal Constitution.*

*Be it ordained,* By the representatives of the freemen of the state of Georgia, in general assembly met, and by the authority of the same, that William Few, Abraham Baldwin, William Pierce, George Walton, William Houstoun, and Nathaniel Pendleton, Esqrs. be, and they are hereby appointed commissioners, who, or any two or more of them, are hereby authorized as deputies from this state, to meet such deputies as may be appointed and authorized by other states, to assemble in convention at Philadelphia, and to join with them in devising and discussing all such alterations and farther provisions as may be necessary to render the federal constitution adequate to the exigencies of the union, and in reporting such an act for that purpose to the United States in Congress assembled, as when agreed to by them, and duly confirmed by the several states, will effectually provide for the same. In case of the death of any of the said deputies, or of their declining their appointments, the executive are hereby authorized to supply such vacancies.

By order of the House,

(Signed) WM. GIBBONS, *Speaker.*

Augusta, the 10th February, 1787.

GEORGIA,

*Secretary's Office.*

The above is a true copy from the original ordinance deposited in my office.

J. MILTON, *Sec'ry.*

Augusta, 24th April, 1787.

*The State of Georgia, by the Grace of God, free, sovereign and independent.*

*To the Honorable William Few, Esq;*

WHEREAS you the said William Few, are in and by an ordinance of the general assembly of our said state, nominated and appointed a deputy to represent the same in a convention of the United States, to be assembled at Philadelphia, for the purposes of devising and discussing all such alterations and farther provisions as may be necessary to render the federal constitution adequate to the exigencies of the union.

You are therefore hereby commissioned to proceed on the duties required of you in virtue of the said ordinance.

Witness our trusty and well beloved George Mathews, Esq; our captain-general, governor and commander in chief, under his hand and our great seal, at Augusta, this 17th day of April, in the year of our Lord 1787, and of our sovereignty and independence the eleventh.

By his Honor's command,  
J. MILTON, *Sec'ry.*

Geo. Mathews.  
(L.S.)

*The State of Georgia, by the Grace of God, free, sovereign and independent.*

*To the Honorable William Pierce, Esq;*

GEO. MATHEWS.  
(L. S.) WHEREAS you the said William Pierce, are in and by an ordinance of the general assembly of our said state, nominated and appointed a deputy to represent the same in a convention of the United States, to be assembled at Philadelphia, for the purposes of devising and discussing all such alterations and farther provisions as may be necessary to render the federal constitution adequate to the exigencies of the union.

You are therefore hereby commissioned to proceed on the duties required of you in virtue of the said ordinance.

Witness our trusty and well beloved George Mathews, Esq; our captain-general, governor and commander in chief, under his hand and our great seal, at Augusta, this 17th day of April, in the year of our Lord 1787, and of our sovereignty and independence the eleventh.

By his Honor's command,  
J. MILTON, Sec'ry.

*The State of Georgia, by the Grace of God, free, sovereign and independent.*

*To the Honorable William Houstoun, Esq;*

GEO. MATHEWS.  
(L. S.) WHEREAS you the said William Houstoun, are in and by an ordinance of the general assembly of our said state, nominated and appointed a deputy to represent the same in a convention of the United States, to be assembled at Philadelphia, for the purposes of devising and discussing all such alterations and farther provisions as may be necessary to render the federal constitution adequate to the exigencies of the union.

You are therefore hereby commissioned to proceed on the duties required of you in virtue of the said ordinance.

Witness our trusty and well beloved George Mathews, Esq; our captain-general, governor and commander in chief, under his hand and our great seal, at Augusta, this 17th day of April, in the year of our Lord 1787, and of our sovereignty and independence the eleventh.

By his Honor's command,  
J. MILTON, Sec'ry.

In pursuance of the foregoing powers, the delegates met in convention at Philadelphia, at the time appointed, and on the 17th September, 1787, agreed to the following constitution, which they transmitted to the United States in Congress assembled, together with a resolution and letter of the same date, as follows :

*We the People of the United States, in order to form a more perfect Union, establish justice, ensure domestic tranquillity, provide for the common defence, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this constitution for the United States of America.*

## ARTICLE I.

Sec. 1. **A**LL legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

Sec. 2. The House of Representatives shall be composed of members chosen every second year by the people of the several states, and the electors in each state shall have the qualifications requisite for electors of the most numerous branch of the state legislature.

No person shall be a representative who shall not have attained to the age of twenty-five years, and been seven years a citizen of the United States, and who shall not, when elected be an inhabitant of that state in which he shall be chosen.

Representatives and direct taxes shall be apportioned among the several states which may be included within this union, according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three-fifths of all other persons. The actual enumeration shall be made within three years after the first meeting of the Congress of the United States, and within every subsequent term of ten years, in such manner as they shall by law direct. The number of representatives shall not exceed one for every 30,000, but each state shall have at least one representative; and until such enumeration shall be made, the state of New-Hampshire shall be entitled to choose three; Massachusetts eight; Rhode-Island and Providence Plantations one; Connecticut five; New-York six; New-Jersey four; Pennsylvania eight; Delaware one; Maryland six; Virginia ten; North-Carolina five; South-Carolina five; and Georgia three.

When vacancies happen in the representation from any state, the executive authority thereof shall issue writs of election to fill such vacancies.

The House of Representatives shall choose their speaker and other officers; and shall have the sole power of impeachment.

Sec. 3. The Senate of the United States shall be composed of two senators from each state, chosen by the legislature thereof, for six years; and each senator shall have one vote.

Immediately after they shall be assembled, in consequence of the first election, they shall be divided as equally as may be into three classes. The seats of the senators of the first class shall be vacated at the expiration of the second year, of the second class at the expiration of the fourth year, and of the third class at the expiration of the sixth year, so that one-third may be chosen every second year; and if vacancies happen by resignation, or otherwise, during the recess of the legislature of any state, the executive thereof may make temporary appointments until the next meeting of the legislature, which shall then fill such vacancies.

No person shall be a senator who shall not have attained to the age of thirty years, and been nine years a citizen of the United States, and who shall not, when elected, be an inhabitant of that state for which he shall be chosen.

The vice-president of the United States shall be president of the Senate, but shall have no vote, unless they be equally divided.

The Senate shall choose their other officers, and also a president *pro tempore*, in the absence of the vice-president, or when he shall exercise the office of president of the United States.

The Senate shall have the sole power to try all impeachments. When sitting for that purpose, they shall be on oath or affirmation. When the president of the United States is tried, the chief justice shall preside: And no person shall be convicted without the concurrence of two-thirds of the members present.

Judgment in cases of impeachment shall not extend further than to removal from office, and disqualification to hold and enjoy any office of honor, trust or profit under the United States; but the party convicted shall nevertheless be liable and subject to indictment, trial, judgment and punishment, according to law.

Sec. 4. The times, places and manner of holding elections for senators and representatives, shall be prescribed in each state by the legislature thereof: But the Congress may at any time by law make or alter such regulations, except as to the places of choosing senators.

The Congress shall assemble at least once in every year, and such meeting shall be on the first Monday in December, unless they shall by law appoint a different day.

Sec. 5. Each house shall be the judge of the elections, returns and qualifications of its own members, and a majority of each shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent members, in such manner, and under such penalties as each house may provide.

Each house may determine the rules of its proceedings, punish its members for disorderly behaviour, and with the concurrence of two-thirds, expel a member.

Each house shall keep a journal of its proceedings, and, from time to time, publish the same, except such parts as may, in their judgment, require secrecy; and the yeas and nays of the members of either house, on any question, shall, at the desire of one-fifth of those present, be entered on the journal.

Neither house, during the session of Congress, shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two houses shall be sitting.

Sec. 6. The senators and representatives shall receive a compensation for their services, to be ascertained by law, and paid out of the treasury of the United States. They shall in all cases, except treason, felony and breach of peace, be privileged from arrest during their attendance at the session of their respective houses, and in going to and returning from the same; and for any speech or debate in either house, they shall not be questioned in any other place.

No senator or representative shall, during the time for which he was

electd, be appointed to any civil office under the authority of the United States, which shall have been created, or the emoluments whereof shall have been increased during such time; and no person holding any office under the United States, shall be a member of either house during his continuance in office.

Sec. 7. All bills for raising revenue shall originate in the House of Representatives; but the Senate may propose or concur with amendments as on other bills.

Every bill which shall have passed the House of Representatives and the Senate, shall, before it become a law, be presented to the president of the United States: If he approve he shall sign it; but if not he shall return it, with his objections, to that house in which it shall have originated, who shall enter the objections at large on their journal, and proceed to re-consider it. If after such re-consideration, two-thirds of that house shall agree to pass the bill, it shall be sent, together with the objections, to the other house, by which it shall likewise be re-considered, and if approved by two-thirds of that house, it shall become a law. But in all such cases the votes of both houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered on the journal of each house, respectively. If any bill shall not be returned by the president within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law, in like manner as if he had signed it, unless the Congress by their adjournment prevent its return, in which case it shall not be a law.

Every order, resolution or vote to which the concurrence of the Senate and House of Representatives may be necessary (except on a question of adjournment) shall be presented to the president of the United States; and before the same shall take effect, shall be approved by him, or being disapproved by him, shall be re-passed by two-thirds of the Senate and House of Representatives, according to the rules and limitations prescribed in the case of a bill.

Sec. 8. The Congress shall have power

To lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defence and general welfare of the United States; but all duties, imposts and excises, shall be uniform throughout the United States:

To borrow money on the credit of the United States:

To regulate commerce with foreign nations, and among the several states, and with the Indian tribes:

To establish an uniform rule of naturalization, and uniform laws on the subject of bankruptcies throughout the United States:

To coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures:

To provide for the punishment of counterfeiting the securities and current coin of the United States:

To establish post-offices and post-roads:

To promote the progress of science and useful arts, by securing, for limited times, to authors and inventors, the exclusive right to their respective writings and discoveries:

To constitute tribunals inferior to the supreme court:

To define and punish piracies and felonies committed on the high-seas, and offences against the law of nations :

To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water :

To raise and support armies ; but no appropriation of money to that use shall be for a longer term than two years :

To provide and maintain a navy :

To make rules for the government and regulation of the land or naval forces :

To provide for calling forth the militia to execute the laws of the union, suppress insurrections and repel invasions :

To provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the states respectively, the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress :

To exercise exclusive legislation in all cases whatsoever, over such district (not exceeding ten miles square) as may, by cession of particular states, and the acceptance of Congress, become the seat of the government of the United States, and to exercise like authority over all places purchased by the consent of the legislature of the state in which the same shall be, for the erection of forts, magazines, arsenals, dock-yards, and other needful buildings : And

To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this constitution in the government of the United States, or in any department or officer thereof.

Sec. 9. The migration or importation of such persons as any of the states now existing shall think proper to admit, shall not be prohibited by the Congress prior to the year 1808 ; but a tax or duty may be imposed on such importation, not exceeding ten dollars for each person.

The privilege of the writ of *habeas corpus* shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it.

No bill of attainder or *ex post facto* law shall be passed.

No capitation, or other direct tax shall be laid, unless in proportion to the *census* or enumeration herein before directed to be taken.

No tax or duty shall be laid on articles exported from any state. No preference shall be given by any regulation of commerce or revenue to the ports of one state over those of another ; nor shall vessels bound to, or from, one state, be obliged to enter, clear, or pay duties in another.

No money shall be drawn from the treasury, but in consequence of appropriations made by law ; and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time.

No title of nobility shall be granted by the United States : And no person holding any office of profit or trust under them, shall, without the consent of the Congress, accept of any present, emolument, office, or title, of any kind whatever, from any king, prince or foreign state.

Sec. 10. No state shall enter into any treaty, alliance, or confederation; grant letters of marque or reprisal; coin money; emit bills of credit; make any thing but gold and silver coin a tender in payment of debts; pass any bill of attainder, *ex post facto* law, or law impairing the obligation of contracts, or grant any title of nobility.

No state shall, without the consent of the Congress, lay any imposts or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws; and the net produce of all duties and imposts, laid by any state on imports or exports, shall be for the use of the treasury of the United States; and all such laws shall be subject to the revision and control of the Congress. No state shall, without the consent of Congress, lay any duty of tonnage, keep troops, or ships of war in time of peace, enter into any agreement or compact with another state, or with a foreign power, or engage in war, unless actually invaded, or in such imminent danger as will not admit of delay.

#### ARTICLE II.

Sec. 1. The executive power shall be vested in a president of the United States of America. He shall hold his office during the term of four years, and, together with the vice-president, chosen for the same term, be elected as follows:

Each state shall appoint, in such manner as the legislature thereof may direct, a number of electors, equal to the whole number of senators and representatives to which the state may be entitled in the Congress: But no senator or representative, or person holding an office of trust or profit under the United States, shall be appointed an elector.

The electors shall meet in their respective states, and vote by ballot for two persons, of whom one at least shall not be an inhabitant of the same state with themselves. And they shall make a list of all the persons voted for, and of the number of votes for each; which list they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the president of the Senate. The president of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates, and the votes shall then be counted. The person having the greatest number of votes shall be the president, if such number be a majority of the whole number of electors appointed; and if there be more than one who have such majority, and have an equal number of votes, then the House of Representatives shall immediately choose by ballot, one of them for president; and if no person have a majority, then from the five highest on the list, the said house shall, in like manner, choose the president. But in choosing the president, the votes shall be taken by states, the representation from each state having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the states, and a majority of all the states shall be necessary to a choice. In every case, after the choice of the president, the person having the greatest number of votes of the electors, shall be the vice-president. But if there should remain two or more who have equal votes, the Senate shall choose from them by ballot the vice-president.

The Congress may determine the time of choosing the electors, and the day on which they shall give their votes; which day shall be the same throughout the United States.



No person except a natural born citizen, or a citizen of the United States, at the time of the adoption of this constitution, shall be eligible to the office of president; neither shall any person be eligible to that office who shall not have attained to the age of 35 years, and been 14 years a resident within the United States.

In case of the removal of the president from office, or of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the vice-president, and the Congress may by law provide for the case of removal, death, resignation, or inability, both of the president and vice-president, declaring what officer shall then act as president, and such officer shall act accordingly, until the disability be removed, or a president shall be elected.

The president shall, at stated times, receive for his services, a compensation, which shall neither be increased nor diminished during the period for which he shall have been elected, and he shall not receive within that period any other emolument from the United States, or any of them.

Before he enters on the execution of his office, he shall take the following oath or affirmation:

“I do solemnly swear (or affirm) that I will faithfully execute the office of president of the United States; and will, to the best of my ability, preserve, protect and defend the constitution of the United States.”

Sec. 2. The president shall be commander in chief of the army and navy of the United States, and of the militia of the several states, when called into the actual service of the United States; he may require the opinion, in writing, of the principal officer in each of the executive departments, upon any subject relating to the duties of their respective offices, and he shall have power to grant reprieves and pardons for offences against the United States, except in cases of impeachment.

He shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the senators present concur; and he shall nominate, and by and with the advice and consent of the Senate, shall appoint ambassadors, other public ministers and consuls, judges of the supreme court, and all other officers of the United States, whose appointments are not herein otherwise provided for, and which shall be established by law. But the Congress may by law vest the appointment of such inferior officers, as they think proper, in the president alone, in the courts of law, or in the heads of departments.

The president shall have power to fill up all vacancies that may happen during the recess of the Senate, by granting commissions which shall expire at the end of their next session.

Sec. 3. He shall, from time to time, give to the Congress information of the state of the union, and recommend to their consideration such measures as he shall judge necessary and expedient; he may, on extraordinary occasions, convene both houses, or either of them, and in case of disagreement between them, with respect to the time of adjournment, he may adjourn them to such time as he shall think proper; he shall receive ambassadors and other public ministers; he shall take care that the laws be faithfully executed, and shall commission all the officers of the United States.

Sec. 4. The president, vice-president, and all civil officers of the

United States, shall be removed from office on impeachment for, and conviction of, treason, bribery, or other high crimes and misdemeanors.

### ARTICLE III.

Sec. 1. The judicial power of the United States, shall be vested in one supreme court, and in such inferior courts as the Congress may, from time to time, ordain and establish. The judges, both of the supreme and inferior court, shall hold their offices during good behaviour, and shall, at stated times, receive for their services, a compensation, which shall not be diminished during their continuance in office.

Sec. 2. The judicial power shall extend to all cases, in law and equity, arising under this constitution, the laws of the United States, and treaties made, or which shall be made, under their authority; to all cases affecting ambassadors, other public ministers and consuls; to all cases of admiralty and maritime jurisdiction; to controversies to which the United States shall be a party; to controversies between two or more states, between a state and citizens of another state, between citizens of different states, between citizens of the same state claiming lands under grants of different states, and between a state, or the citizens thereof, and foreign states, citizens or subjects.

In all cases affecting ambassadors, other public ministers and consuls, and those in which a state shall be a party, the supreme court shall have original jurisdiction. In all the other cases before-mentioned, the supreme court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations as the Congress shall make.

The trial of all crimes, except in cases of impeachment, shall be by jury; and such trial shall be held in the state where the said crimes shall have been committed; but when not committed within any state, the trial shall be at such place or places as the Congress may by law have directed.

Sec. 3. Treason against the United States, shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court.

The Congress shall have power to declare the punishment of treason, but no attainder of treason shall work corruption of blood, or forfeiture, except during the life of the person attainted.

### ARTICLE IV.

Sec. 1. Full faith and credit shall be given in each state to the public acts, records and judicial proceedings of every other state. And the Congress may by general laws prescribe the manner in which such acts, records and proceedings shall be proved, and the effect thereof.

Sec. 2. The citizens of each state shall be entitled to all privileges and immunities of citizens in the several states.

A person charged in any state with treason, felony, or other crime, who shall flee from justice, and be found in another state, shall on demand of the executive authority of the state from which he fled, be delivered up, to be removed to the state having jurisdiction of the crime.

No person held to service or labour in one state, under the laws

thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labour, but shall be delivered up on claim of the party to whom such service or labour may be due.

Sec. 3. New states may be admitted by the Congress into this union; but no new state shall be formed or erected within the jurisdiction of any other state; nor any state be formed by the junction of two or more states, or parts of states, without the consent of the legislatures of the states concerned, as well as of the Congress.

The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States; and nothing in this constitution shall be so construed as to prejudice any claims of the United States, or of any particular state.

Sec. 4. The United States shall guarantee to every state in this union a republican form of government, and shall protect each of them against invasion; and on application of the legislature, or of the executive (when the legislature cannot be convened) against domestic violence.

#### ARTICLE V.

The Congress, whenever two-thirds of both houses shall deem it necessary, shall propose amendments to this constitution, or, on the application of the legislatures of two-thirds of the several states, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes, as part of this constitution, when ratified by the legislatures of three-fourths of the several states, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by the Congress: Provided, that no amendment which may be made prior to the year 1808, shall in any manner affect the first and fourth clauses in the ninth section of the first article; and that no state, without its consent, shall be deprived of its equal suffrage in the Senate.

#### ARTICLE VI.

All debts contracted and engagements entered into, before the adoption of this constitution, shall be as valid against the United States under this constitution, as under the confederation.

This constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every state shall be bound thereby, any thing in the constitution or laws of any state to the contrary notwithstanding.

The senators and representatives before-mentioned, and the members of the several state legislatures, and all executive and judicial officers, both of the United States and of the several states, shall be bound by oath or affirmation, to support this constitution; but no religious test shall ever be required as a qualification to any office or public trust under the United States.

#### ARTICLE VII.

The ratification of the conventions of nine states, shall be sufficient

for the establishment of this constitution between the states so ratifying the same.

DONE in convention, by the unanimous consent of the states present, the 17th day of September, in the year of our Lord 1787, and of the independence of the United States of America the 12th. In witness whereof, we have hereunto subscribed our names.

GEORGE WASHINGTON, *President,*  
*And Deputy from Virginia.*

<i>New-Hampshire,</i>	{ John Langdon, Nicholas Gilman.
<i>Massachusetts,</i>	{ Nathaniel Gorham, Rufus King.
<i>Connecticut,</i>	{ William Samuel Johnson, Roger Sherman.
<i>New-York,</i>	{ Alexander Hamilton.
<i>New-Jersey,</i>	{ William Livingston, David Brearly, William Patterfon, Jonathan Dayton.
<i>Pennsylvania,</i>	{ Benjamin Franklin, Thomas Mifflin, Robert Morris, George Clymer, Thomas Fitzsimons, Jared Ingersoll, James Wilson, Gouverneur Morris.
<i>Delaware,</i>	{ George Read, Gunning Bedford, jun. John Dickinson, Richard Basset, Jacob Broom.
<i>Maryland,</i>	{ James M'Henry, Daniel of St. Thomas Jenifer, Daniel Carroll.
<i>Virginia,</i>	{ John Blair, James Madifon, jun.
<i>North-Carolina,</i>	{ William Blount, Richard Dobbs Spaight, Hugh Williamfon.
<i>South-Carolina,</i>	{ John Rutledge, Charles Cotefworth Pinckney, Charles Pinckney, Pierce Butler.
<i>Georgia,</i>	{ William Few, Abraham Baldwin.

*Attest:*

WILLIAM JACKSON, *Secretary.*

## IN CONVENTION,

MONDAY, September 17, 1787.

## PRESENT,

*The States of New-Hampshire, Massachusetts, Connecticut, Mr. Hamilton from New-York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina and Georgia.*

*Resolved,* That the preceding constitution be laid before the United States in Congress assembled, and that it is the opinion of this convention, that it should afterwards be submitted to a convention of delegates, chosen in each state by the people thereof, under the recommendation of its legislature, for their assent and ratification; and that each convention assenting to, and ratifying the same, should give notice thereof to the United States in Congress assembled.

*Resolved,* That it is the opinion of this convention, that as soon as the conventions of nine states shall have ratified this constitution, the United States in Congress assembled, should fix a day on which electors should be appointed by the states which shall have ratified the same, and a day on which the electors should assemble to vote for the president, and the time and place for commencing proceedings under this constitution. That after such publication the electors should be appointed, and the senators and representatives elected: That the electors should meet on the day fixed for the election of the president, and should transmit their votes certified, signed, sealed and directed, as the constitution requires, to the secretary of the United States in Congress assembled, that the senators and representatives should convene at the time and place assigned; that the senators should appoint a president of the Senate, for the sole purpose of receiving, opening and counting the votes for president; and, that after he shall be chosen, the Congress, together with the president, should, without delay, proceed to execute this constitution.

By the unanimous order of the convention,

GEORGE WASHINGTON, *President.*

WILLIAM JACKSON, *Secretary.*

*In Convention, September 17, 1787.*

SIR,

WE have now the honor to submit to the consideration of the United States in Congress assembled, that constitution which has appeared to us the most advisable.

The friends of our country have long seen and desired, that the power of making war, peace and treaties, that of levying money and regulating commerce, and the correspondent executive and judicial authorities should be fully and effectually vested in the general government of the union: But the impropriety of delegating such extensive trust to one body of men is evident: Hence results the necessity of a different organization.

It is obviously impracticable in the federal government of these states, to secure all rights of independent sovereignty to each, and yet

provide for the interest and safety of all: Individuals entering into society, must give up a share of liberty to preserve the rest. The magnitude of the sacrifice must depend as well on situation and circumstance, as on the object to be obtained. It is at all times difficult to draw with precision the line between those rights which must be surrendered, and those which may be reserved; and on the present occasion this difficulty was increased by a difference among the several states as to their situation, extent, habits, and particular interests.

In all our deliberations on this subject, we kept steadily in our view, that which appears to us the greatest interest of every true American; the consolidation of our union, in which is involved our prosperity, felicity, safety, perhaps our national existence. This important consideration, seriously and deeply impressed on our minds, led each state in the convention to be less rigid on points of inferior magnitude, than might have been otherwise expected; and thus the constitution, which we now present, is the result of a spirit of amity, and of that mutual deference and concession which the peculiarity of our political situation rendered indispensable.

That it will meet the full and entire approbation of every state is not perhaps to be expected; but each will doubtless consider, that had her interest been alone consulted, the consequences might have been particularly disagreeable or injurious to others; that it is liable to as few exceptions as could reasonably have been expected, we hope and believe; that it may promote the lasting welfare of that country so dear to us all, and secure her freedom and happiness, is our most ardent wish.

With great respect, We have the honor to be, Sir,  
Your Excellency's most obedient and humble servants,  
GEORGE WASHINGTON, *President.*

*By unanimous order of the Convention.*

*His Excellency the President of Congress.*

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UNITED STATES IN CONGRESS ASSEMBLED.

FRIDAY, September 28, 1787.

*Present; New-Hampshire, Massachusetts, Connecticut, New-York, New-Jersey, Pennsylvania, Delaware, Virginia, North-Carolina, South-Carolina and Georgia; and from Maryland, Mr. Ross.*

Congress having received the report of the convention lately assembled in Philadelphia,

*Resolved unanimously,* That the said report, with the resolutions and letter accompanying the same, be transmitted to the several legislatures, in order to be submitted to a convention of delegates chosen in each state by the people thereof, in conformity to the resolves of the convention made and provided in that case.

The states having accordingly passed acts for severally calling conventions, and the constitution being submitted to them, the ratifications thereof were transmitted to Congress as follows:

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D E L A W A R E.

WE the deputies of the people of the Delaware state, in conven-

tion met, having taken into our serious consideration the federal constitution proposed and agreed upon by the deputies of the United States, in a general convention held at the city of Philadelphia, on the 17th day of September, in the year of our Lord 1787, have approved, assented to, ratified and confirmed, and by these presents do, in virtue of the power and authority to us given for that purpose, for and in behalf of ourselves and our constituents, fully, freely, and entirely approve of, assent to, ratify and confirm the said constitution.

Done in convention at Dover, this 7th day of December, in the year aforesaid, and in the year of the independence of the United States of America the twelfth. In testimony whereof, we have hereunto subscribed our names.

*Sussex County.*

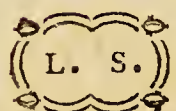
John Ingram,	Isaac Cooper,
John Jones,	Woodman Storkley,
William Moore,	John Laws,
William Hall,	Thomas Evans,
Thomas Laws,	Israel Holland.

*Kent County.*

Nicholas Ridgely,	Allen M'Lean,
Richard Smith,	Daniel Cummins, sen.
George Fruitt,	Joseph Barker,
Richard Bassett,	Edward White,
James Sykes,	George Manlove.

*New-Castle County.*

James Latimer, <i>President.</i>	Thomas Watson,
James Black,	Solomon Maxwell,
John James,	Nicholas Way,
Gunning Bedford, sen.	Thomas Duff,
Kenfey Johns,	Gunning Bedford, jun.



To all to whom these presents shall come, greeting.

I Thomas Collins, president of the Delaware state, do hereby certify, that the above instrument of writing is a true copy of the original ratification of the federal constitution by the convention of the Delaware state, which original ratification is now in my possession. In testimony whereof, I have caused the seal of the Delaware state to be hereunto annexed.

THOMAS COLLINS.

P E N N S Y L V A N I A.

*In the Name of the People of Pennsylvania.*

BE IT KNOWN unto all men, that we, the delegates of the people of the commonwealth of Pennsylvania, in general convention assembled, Have assented to, and ratified, and by these presents do, in the name and by the authority of the same people, and for ourselves, assent to, and ratify the foregoing constitution for the United States of America. Done in convention at Philadelphia, the 12th

day of December, in the year of our Lord 1787, and of the independence of the United States of America the twelfth. In witness whereof, we have hereunto subscribed our names.

FREDERICK AUGUSTUS MUHLENBERG, *President.*

George Latimer,	John Hublely,
Benjamin Rush,	Jasper Yeates,
Hilary Baker,	Henry Slagle,
James Wilton,	Thomas Campbell,
Thomas M'Kean,	Thomas Hartley,
To. Macpherson,	David Grier,
John Hunn,	John Black,
George Gray,	Benjamin Pedan,
Samuel Ashmead,	John Arndt,
Enoch Edwards,	Stephen Balliet,
Henry Wynkoop,	Joseph Horsfield,
John Barclay,	David Dashler,
Thomas Yardley,	William Wilton,
Abraham Stout,	John Boyd,
Thomas Bull,	Thomas Scott,
Anthony Wayne,	John Nevill,
William Gibbons,	John Allison,
Richard Downing,	Jonathan Roberts,
Thomas Cheney,	John Richards,
John Hannum,	James Morris,
Stephen Chambers,	Timothy Pickering,
Robert Coleman,	Benjamin Elliot.
Sebastian Graff,	

Attest:

JAMES CAMPBELL, *Sec'ry.*

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NEW-JERSEY.

*In Convention of the State of New-Jersey.*

WHEREAS a convention of delegates from the following states, viz. New-Hampshire, Massachusetts, Connecticut, New-York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina and Georgia; met at Philadelphia, for the purpose of deliberating on, and forming a constitution for the United States of America, finished their session on the 17th day of September last, and reported to Congress the form which they had agreed upon, in the words following, viz. [See the constitution.]

And whereas Congress, on the 28th day of September last, unanimously did resolve, "That the said report, with the resolutions and letter accompanying the same, be transmitted to the several legislatures, in order to be submitted to a convention of delegates, chosen in each state by the people thereof, in conformity to the resolves of the convention made and provided in that case."

"And whereas the legislature of this state did, on the 29th day of October last, resolve in the words following, viz. "Resolved unanimously, That it be recommended to such of the inhabitants of this state as are entitled to vote for representatives in general assembly, to



meet in their respective counties on the 4th Tuesday in November next, at the several places fixed by law for holding the annual elections, to choose three suitable persons to serve as delegates from each county in a state convention, for the purposes herein before-mentioned, and that the same be conducted agreeably to the mode, and conformably with the rules and regulations prescribed for conducting such elections."

"*Resolved unanimously*, That the persons so elected to serve in state convention, do assemble and meet together on the 2d Tuesday in December next, at Trenton, in the county of Hunterdon, then and there to take into consideration the aforesaid constitution; and if approved of by them, finally to ratify the same, in behalf and on the part of this state; and make report thereof to the United States in Congress assembled, in conformity with the resolutions thereto annexed."

"*Resolved*, That the sheriffs of the respective counties of this state shall be, and they are hereby required to give as timely notice as may be, by advertisements, to the people of their counties, of the time, place and purpose of holding elections as aforesaid."

And whereas the legislature of this state did also, on the 1st day of November last, make and pass the following act, viz. "An act to authorize the people of this state to meet in convention, deliberate upon, agree to, and ratify the constitution of the United States, proposed by the late general convention. Be it enacted by the council and general assembly of this state, and it is hereby enacted by the authority of the same, That it shall and may be lawful for the people thereof, by their delegates, to meet in convention, to deliberate upon, and if approved of by them, to ratify the constitution for the United States, proposed by the general convention, held at Philadelphia, and every act, matter and clause therein contained, conformably to the resolutions of the legislature, passed the 29th day of October, 1787, any law, usage or custom to the contrary in any wise notwithstanding.

Now be it known, that we, the delegates of the state of New-Jersey, chosen by the people thereof for the purposes aforesaid, having maturely deliberated on, and considered the aforesaid proposed constitution, do hereby for and on the behalf of the people of the said state of New-Jersey, agree to, ratify and confirm the same and every part thereof.

Done in convention by the unanimous consent of the members present, this 18th day of December, in the year of our Lord 1787, and of the independence of the United States of America the twelfth. In witness whereof, we have hereunto subscribed our names.

JOHN STEVENS, *President,*

*And Delegate from the County of Hunterdon.*

County of Cape-May,	{	Jesse Hand,
		Jeremiah Eldridge,
		Matthew Willdin.
Hunterdon,	{	David Brearly,
		Joshua Corshon.
Morris,	{	William Windes,
		William Woodhull,
		John Jacob Faesch.

Cumberland,	{ David Potter, Jonathan Bowen, Eli Elmer.
Suffex,	{ Robert Ogden, Thomas Anderson, Robert Hoops.
Bergen,	{ John Fell, Peter Zobriskie, Cornelius Hennion.
Essex,	{ John Chetwood, Samuel Hay, David Crane.
Middlesex,	{ John Neilson, John Beatty, Benjamin Manning.
Monmouth,	{ Elisha Lawrence, Samuel Breefe, William Crawford.
Somerfet,	{ John Witherspoon, Jacob R. Hardenberg, Frederick Frelinghuysen.
Burlington,	{ Thomas Reynolds, Geo. Anderson, Joshua M. Wallace.
Gloucester,	{ Richard Howell, Andrew Hunter, Benjamin Whitall.
Salem,	{ Whitten Cripps, Edmund Wetherby.
Attest:	SAMUEL W. STOCKTON, <i>Sec'ry.</i>

\*  
CONNECTICUT.

*In the Name of the People of the State of Connecticut.*

WE the delegates of the people of the said state in general convention assembled, pursuant to an act of the legislature in October last, have assented to and ratified, and by these presents do assent to, ratify and adopt the constitution reported by the convention of delegates in Philadelphia, on the 17th day of September, A. D. 1787, for the United States of America.

Done in convention this 9th day of January, A. D. 1788. In witness whereof, we have hereunto set our hands.

MATTHEW GRISWOLD, *President.*

Jeremiah Wadsworth,	Daniel Foot,
Jesse Root,	Eli Hyde,
Isaac Lee,	Joseph Woodbridge,
Selah Hart,	Stephen Billings,
Zebulon Peck, jun.	Andrew Lee,
Elisha Pitkin,	William Noyes,
Erastus Wolcott,	Joshua Raymond, jun.

John Watson,	Jeremiah Halsey,
John Treadwell,	Wheeler Coit,
William Judd,	Charles Phelps,
Joseph Mosely,	Nathaniel Minor,
Wait Goodrich,	Jonathan Sturges,
John Curtiss,	Thaddeus Burr,
Afa Barns,	Elisha Whittelsey,
Stephen Mix Mitchell,	Joseph Mofs White,
John Chester,	Amos Mead,
Oliver Elsworth,	Jabez Fitch,
Roger Newberry,	Nehemiah Beardley,
Roger Sherman,	James Potter,
Pierpont Edwards,	John Chandler,
Samel Beach,	John Beach,
Daniel Holbrook,	Hezekiah Rogers,
John Holbrook,	Lemuel Sanford,
Gideon Buckingham,	William Heron,
Lewis Mallet, jun.	Philip Burr Bradley,
Joseph Hopkins,	Nathan Danchy,
John Welton,	James Davenport,
Richard Law,	John Davenport, jun.
Amasa Learned,	William Samuel Johnson,
Samuel Huntington,	Elisha Mills,
Jedediah Huntington,	Eliphalet Dyer,
Isaac Huntington,	Jedediah Elderkin,
Robert Robbins,	Simeon Smith,
Hendrick Dow,	John Whittlesey,
Seth Paine,	Dan. Nath. Brinsmade,
Afa Witter,	Thomas Fenn,
Moses Cleaveland,	David Smith,
Samson Howe,	Robert M'Cune,
William Danielson,	Daniel Sherman,
William Williams,	Samuel Orton,
James Bradford,	Asher Miller,
Joshua Dunlap,	Samuel H. Parsons,
Daniel Learned,	Ebenezer White,
Moses Campbell,	Hezekiah Goodrich,
Benjamin Dow,	Dyer Throop,
Oliver Wolcott,	Jabez Chapman,
Jedediah Strong,	Cornelius Higgins,
Moses Hawley,	Hezekiah Brainard,
Charles Burrall,	Theophilus Morgan,
Nathan Hale,	Hezekiah Lane,
Daniel Miles,	William Hart,
Afaph Hall,	Samuel Shipman,
Isaac Burnham,	Jeremiah West,
John Wilder,	Samuel Chapman,
Mark Prindle,	Ichabod Warner,
Jedediah Hubbel,	Samuel Carver,
Aaron Austin,	Jeremiah Ripley,
Samuel Canfield,	Ephraim Root,

Daniel Everitt,  
 Hezekiah Fitch,  
 Joshua Porter,  
 Benjamin Hinman,  
 Epaphras Sheldon,  
 Eleazer Curtiss,

John Phelps,  
 Isaac Foot,  
 Abijah Sessions,  
 Caleb Holt,  
 Seth Crocker.

*State of Connecticut*, ff. Hartford, January 9th, Anno Domini 1788.  
 The foregoing ratification was agreed to, and signed as above, by 128,  
 and dissented to by 40 delegates in convention, which is a majority  
 of 88. Certified by

MATTHEW GRISWOLD, *President.*

Teste. JEDEDIAH STRONG, *Sec'ry.*

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### COMMONWEALTH OF MASSACHUSETTS.

*In Convention of the Delegates of the People of the Commonwealth of  
 Massachusetts, February 6th, 1788.*

THE convention having impartially discussed, and fully considered the constitution for the United States of America, reported to Congress by the convention of delegates from the United States of America, and submitted to us by a resolution of the general court of the said commonwealth, passed the 25th day of October last past, and acknowledging with grateful hearts, the goodness of the Supreme Ruler of the universe, in affording the people of the United States, in the course of his Providence, an opportunity, deliberately and peaceably, without fraud or surprize, of entering into an explicit and solemn compact with each other, by assenting to and ratifying a new constitution, in order to form a more perfect union, establish justice, ensure domestic tranquillity, provide for the common defence, promote the general welfare, and secure the blessings of liberty to themselves and their posterity, do, in the name and behalf of the people of the commonwealth of Massachusetts, assent to and ratify the said constitution for the United States of America.

And as it is the opinion of this convention, that certain amendments and alterations in the said constitution would remove the fears and quiet the apprehensions of many of the good people of this commonwealth, and more effectually guard against an undue administration of the federal government: The convention do therefore recommend that the following alterations and provisions be introduced into the said constitution.

*First.* That it be explicitly declared that all powers not expressly delegated by the aforesaid constitution, are reserved to the several states to be by them exercised.

*Secondly.* That there shall be one representative to every 30,000 persons, according to the census mentioned in the constitution, until the whole number of the representatives amounts to 200.

*Thirdly.* That Congress do not exercise the powers vested in them by the fourth section of the first article, but in cases when a state shall neglect or refuse to make the regulations therein mentioned, or shall make regulations subversive of the rights of the people to a free and equal representation in Congress, agreeably to the constitution.

*Fourthly.* That Congress do not lay direct taxes but when the monies arising from the impost and excise are insufficient for the public exigencies, nor then until Congress shall have first made a requisition upon the states to assess, levy and pay their respective proportions of such requisition, agreeably to the census fixed in the said constitution, in such way and manner as the legislatures of the states shall think best, and in such case if any state shall neglect or refuse to pay its proportion pursuant to such requisition, then Congress may assess and levy such state's proportion, together with interest thereon, at the rate of six per cent. per annum, from the time of payment, prescribed in such requisition.

*Fifthly.* That Congress erect no company of merchants with exclusive advantages of commerce.

*Sixthly.* That no person shall be tried for any crime by which he may incur an infamous punishment, or loss of life, until he be first indicted by a grand jury, except in such cases as may arise in the government and regulation of the land and naval forces.

*Seventhly.* The supreme judicial federal court shall have no jurisdiction of causes between citizens of different states, unless the matter in dispute, whether it concerns the reality or personality, be of the value of 3000 dollars at least; nor shall the federal judicial powers extend to any actions between citizens of different states, where the matter in dispute, whether it concerns the reality or personality, is not of the value of 1500 dollars at least.

*Eighthly.* In civil actions between citizens of different states, every issue of fact arising in actions at common law, shall be tried by a jury, if the parties or either of them request it.

*Ninthly.* Congress shall at no time consent that any person holding an office of trust or profit under the United States, shall accept of a title of nobility, or any other title or office, from any king, prince, or foreign state.

And the convention do, in the name and in behalf of the people of this commonwealth, enjoin it upon their representatives in Congress at all times, until the alterations and provisions aforesaid have been considered agreeably to the 5th article of the said constitution, to exert all their influence, and use all reasonable and legal methods to obtain a ratification of the said alterations and provisions, in such manner as is provided in the said article.

And that the United States in Congress assembled, may have due notice of the assent and ratification of the said constitution by this convention, it is *Resolved*, That the assent and ratification aforesaid be engrossed on parchment, together with the recommendation and injunction aforesaid, and with this resolution, and that his excellency John Hancock, Esq; president, and the honorable William Cushing, Esq; vice-president of this convention, transmit the same, countersigned by the secretary of the convention, under their hands and seals to the United States in Congress assembled.

JOHN HANCOCK, *President.*

WILLIAM CUSHING, *Vice-President.*

GEORGE RICHARDS MINOT, *Sec'ry.*

Pursuant to the resolution aforesaid, We the president and vice-

president above named, do hereby transmit to the United States in Congress assembled, the same resolution, with the above assent and ratification of the constitution aforesaid, for the United States, and the recommendation and injunction above specified.

In witness whereof, we have hereunto set our hands and seals, at Boston, in the commonwealth aforesaid, this 7th day of February, Anno Domini 1788, and in the 12th year of the independence of the United States of America.

JOHN HANCOCK, *President.* (L. S.)  
WM. CUSHING, *Vice-President.* (L. S.)

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### STATE OF GEORGIA.

*In Convention, Wednesday, January the 2d, 1788.*

To all to whom these presents shall come, greeting.

WHEREAS the form of a constitution for the government of the United States of America, was, on the 17th day of September, 1787, agreed upon and reported to Congress by the deputies of the said United States, convened in Philadelphia, which said constitution is written in the words following, to wit:

And whereas the United States in Congress assembled, did, on the 28th day of September, 1787, *Resolve unanimously*, "That the said report, with the resolutions and letter accompanying the same, be transmitted to the several legislatures, in order to be submitted to a convention of delegates, chosen in each state by the people thereof, in conformity to the resolves of the convention made and provided in that case."

And whereas the legislature of the state of Georgia, did, on the 26th day of October, 1787, in pursuance of the above recited resolution of Congress,

*Resolve*, That a convention be elected on the day of the next general election, and in the same manner as representatives are elected; and that the said convention consist of not more than three members from each county; and that the said convention should meet at Augusta, on the fourth Tuesday in December then next, and as soon thereafter as convenient, proceed to consider the said report, letter and resolutions, and to adopt or reject any part or the whole thereof.

Now KNOW YE, That WE, the delegates of the people of the state of Georgia in convention met, pursuant to the resolutions of the legislature aforesaid, having taken into our serious consideration the said constitution, have assented to, ratified and adopted, and by these presents do, in virtue of the powers and authority to us given by the people of the said state for that purpose, for, and in behalf of ourselves and our constituents, fully and entirely assent to, ratify and adopt the said constitution.

Done in convention, at Augusta, in the said state, on the 2d day of January, in the year of our Lord 1788, and of the independence of the United States the 12th. In witness whereof, we have hereunto subscribed our names.

JOHN WEREAT, *President,*  
*And Delegate for the County of Richmond.*

W. Stephens,	}	Chatham.
Joseph Habersham,		
Jehim Davis,	}	Effingham.
N. Brownson,		
Edward Telfair,	}	Burke.
H. Todd,		
William Few,	}	Richmond.
James M'Niel,		
Geo. Matthews,	}	Wilkes.
Flor. Sullivan,		
John King,	}	Liberty.
James Powell,		
John Elliott,	}	Glynn.
James Maxwell,		
George Handley,	}	Camden.
Christopher Hillary,		
J. Milton,	}	Washington.
Henry Osborne,		
James Seagrove,	}	Greene.
Jacob Weed,		
Jared Irwin,	}	
John Rutherford,		
Robert Christmas,	}	
Thomas Daniell,		
R. Middleton,		

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MARYLAND.

*In Convention of the Delegates of the People of the State of Maryland,  
23th April, 1788.*

WE the delegates of the people of the state of Maryland, having fully considered the constitution of the United States of America, reported to Congress by the convention of deputies from the United States of America, held in Philadelphia, on the 17th day of September, in the year 1787, of which the annexed is a copy, and submitted to us by a resolution of the general assembly of Maryland, in November session, 1787, do, for ourselves, and in the name and on the behalf of the people of this state, assent to and ratify the said constitution.

In witness whereof, we have hereunto subscribed our names.

GEORGE PLATER, *President.*

Richard Barnes,	Daniel Sullivan,
Charles Chilton,	James Shaw,
N. Lewis Sewall,	Jos. Gilpin,
William Tilghman,	H. Hollingsworth,
Donaldson Yeates,	James Gordon Heron,
Isaac Perkins,	Samuel Evans,
William Granger,	Fielder Bowie,
Joseph Wilkinon,	Osb. Sprigg,
Charles Graham,	Benjamin Hall,

John Chesley, jun.  
 W. Smith,  
 G. R. Brown,  
 J. Parnham,  
 Zeph. Turner,  
 Michael Jenifer Stone,  
 R. Goldsborough, jun.  
 Edward Lloyd,  
 John Stevens,  
 George Gale,  
 Henry Waggaman,  
 John Stewart,  
 John Gale,  
 N. Hammond,  
 Abraham Few,  
 William Paca,  
 J. Richardson,  
 William Richardson,  
 Matt. Driver,  
 Peter Edmondson,  
 James M'Henry,  
 John Coulter,

George Digges,  
 Nicholas Carrole,  
 A. C. Hanson.  
 James Tilghman,  
 John Seney,  
 James Hollyday,  
 William Hemsley,  
 Peter Chaille,  
 James Martin,  
 William Morris,  
 John Done,  
 Thomas Johnson,  
 Thomas S. Lee,  
 Richard Potts,  
 Thomas Sprigg,  
 John Stull,  
 Moses Rawlings,  
 Henry Shryock,  
 Thomas Cramphin,  
 Richard Thomas,  
 William Deakins, jun.  
 Benjamin Edwards.

Attest :

WM. HARWOOD, *Clk.*


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STATE OF SOUTH-CAROLINA.

IN CONVENTION of the people of the state of South-Carolina, by their representatives, held in the city of Charleston, on Monday, the 12th day of May, and continued by divers adjournments to Friday, the 23d day of May, Anno Domini 1788, and in the 12th year of the independence of the United States of America.

The convention having maturely considered the constitution, or form of government, reported to Congress by the convention of delegates from the United States of America, and submitted to them by a resolution of the legislature of this state, passed the 17th and 18th days of February last, in order to form a more perfect union, establish justice, ensure domestic tranquillity, provide for the common defence, promote the general welfare, and secure the blessings of liberty to the people of the said United States, and their posterity: Do, in the name and behalf of the people of this state, hereby assent to and ratify the said constitution.

Done in convention, the 23d day of May, in the year of our Lord 1788, and of the independence of the United States of America the twelfth.

THOMAS PINCKNEY, *President.* (L. S.)

Attest :

JOHN SANFORD DART, *Sec'ry.* (L. S.)

And whereas it is essential to the preservation of the rights reserved to the several states, and the freedom of the people, under the operations of a general government, that the right of prescribing the manner, time, and places of holding the elections to the federal legislature,



should be for ever inseparably annexed to the sovereignty of the several states: This convention doth declare, that the same ought to remain to all posterity, a perpetual and fundamental right in the local, exclusive of the interference of the general government, except in cases where the legislatures of the states shall refuse or neglect to perform and fulfil the same, according to the tenor of the said constitution.

This convention doth also declare, That no section or paragraph of the said constitution, warrants a construction that the states do not retain every power not expressly relinquished by them, and vested in the general government of the union.

*Resolved*, That the general government of the United States ought never to impose direct taxes, but where the monies arising from the duties, imposts and excise, are insufficient for the public exigencies, nor then until Congress shall have made a requisition upon the states to assess, levy, and pay their respective proportions of such requisitions; and in case any state shall neglect or refuse to pay its proportion, pursuant to such requisition, then Congress may assess and levy such state's proportion, together with interest thereon, at the rate of six per centum per annum, from the time of payment prescribed by such requisition.

*Resolved*, That the third section of the sixth article ought to be amended, by inserting the word "other," between the words "no," and "religious."

*Resolved*, That it be a standing instruction to all such delegates as may hereafter be elected to represent this state in the general government, to exert their utmost abilities and influence, to effect an alteration of the constitution, conformably to the foregoing resolutions.

Done in convention, the 23d day of May, in the year of our Lord 1788, and of the independence of the United States of America the twelfth.

Attest.

THOMAS PINCKNEY, *President*. (L. S.)

JOHN SANFORD DART, *Sec'ry*. (L. S.)

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STATE OF NEW-HAMPSHIRE.

*In Convention of the Delegates of the People of the State of New-Hampshire, June the 21st, 1788.*

THE convention having impartially discussed, and fully considered the constitution for the United States of America, reported to Congress by the convention of delegates from the United States of America, and submitted to us by a resolution of the general court of said state, passed the 14th day of December last past, and acknowledging with grateful hearts the goodness of the Supreme Ruler of the universe, in affording the people of the United States, in the course of his Providence, an opportunity, deliberately and peaceably, without fraud or surprize, of entering into an explicit and solemn compact with each other, by assenting to and ratifying a new constitution, in order to form a more perfect union, establish justice, ensure domestic tranquillity, provide for the common defence, promote the general welfare, and secure the blessings of liberty to themselves and their posterity: Do, in the name and behalf of the people of the state of New-Hampshire, assent to and ratify the said constitution, for the United States of America. And as it is the opinion of this convention, that certain

amendments and alterations in the said constitution, would remove the fears and quiet the apprehensions of many of the good people of this state, and more effectually guard against an undue administration of the federal government; the convention do therefore recommend, that the following alterations and provisions be introduced into the said constitution.

*First.* That it be explicitly declared that all powers not expressly and particularly delegated by the aforesaid constitution, are reserved to the several states to be by them exercised.

*Secondly.* That there shall be one representative to every 30,000 persons, according to the census mentioned in the constitution, until the whole number of representatives amount to 200.

*Thirdly.* That Congress do not exercise the powers vested in them by the fourth section of the first article, but in cases when a state shall neglect or refuse to make the regulations therein mentioned, or shall make regulations subversive of the rights of the people to a free and equal representation in Congress; nor shall Congress in any case make regulations contrary to a free and equal representation.

*Fourthly.* That Congress do not lay direct taxes but when the money arising from impost, excise, and their other resources, are insufficient for the public exigencies, nor then, until Congress shall have first made a requisition upon the states, to assess, levy and pay their respective proportions of such requisition, agreeably to the census fixed in the said constitution, in such way and manner as the legislature of the state shall think best, and in such case if any state shall neglect, then Congress may assess and levy such state's proportion, together with the interest thereon, at the rate of six per cent. per annum, from the time of payment prescribed in such requisition.

*Fifthly.* That Congress shall erect no company of merchants with exclusive advantages of commerce.

*Sixthly.* That no person shall be tried for any crime by which he may incur an infamous punishment, or loss of life, until he first be indicted by a grand jury, except in such cases as may arise in the government and regulation of the land and naval forces.

*Seventhly.* All common law cases between citizens of different states, shall be commenced in the common law courts of the respective states, and no appeal shall be allowed to the federal court, in such cases, unless the sum or value of the thing in controversy amount to 3000 dollars.

*Eighthly.* In civil actions between citizens of different states, every issue of fact arising in actions at common law, shall be tried by jury, if the parties or either of them request it.

*Ninthly.* Congress shall at no time consent that any person, holding an office of trust or profit under the United States, shall accept any title of nobility, or any other title or office, from any king, prince, or foreign state.

*Tenthly.* That no standing army shall be kept up in time of peace, unless with the consent of three-fourths of the members of each branch of Congress, nor shall soldiers in time of peace be quartered upon private houses, without the consent of the owners.

*Eleventhly.* Congress shall make no laws touching religion, or to infringe the rights of conscience.

*Twelfth.* Congress shall never disarm any citizen, unless such as are or have been in actual rebellion.

And the convention do, in the name and in behalf of the people of this state, enjoin it upon their representatives in Congress, at all times, until the alterations and provisions aforesaid have been considered, agreeably to the fifth article of the said constitution, to exert all their influence, and use all reasonable and legal methods to obtain a ratification of the said alterations and provisions, in such manner as is provided in the said article.

And that the United States in Congress assembled, may have due notice of the assent and ratification of the said constitution by this convention, it is *Resolved*, That the assent and ratification aforesaid be engrossed on parchment, together with the recommendation and injunction aforesaid, and with this resolution, and that John Sullivan, Esq; president of the convention, and John Langdon, Esq; president of the state, transmit the same, countersigned by the secretary of convention, and the secretary of the state, under their hands and seals, to the United States in Congress assembled.

JOHN SULLIVAN, *Pres. of the Conv.* (L. S.)

JOHN LANGDON, *Pres. of the State.* (L. S.)

By Order,

JOHN CALF, *Sec'ry of Convention.*

JOSEPH PEARSON, *Sec'ry of State.*

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VIRGINIA, *to wit:*

WE, the delegates of the people of Virginia, duly elected in pursuance of a recommendation from the general assembly, and now met in convention, having fully and freely investigated and discussed the proceedings of the federal convention, and being prepared as well as the most mature deliberation hath enabled us to decide thereon, do, in the name and in behalf of the people of Virginia, declare and make known, that the powers granted under the constitution, being derived from the people of the United States, may be resumed by them, whenever the same shall be perverted to their injury or oppression, and that every power not granted thereby, remains with them, and at their will: That, therefore, no right of any denomination, can be cancelled, abridged, restrained, or modified, by the Congress, by the Senate, or House of Representatives, acting in any capacity by the president, or any department, or officer of the United States, except in those instances in which power is given by the constitution for those purposes: And that among other essential rights, the liberty of conscience, and of the press, cannot be cancelled, abridged, restrained, or modified, by any authority of the United States. With these impressions, with a solemn appeal to the searcher of hearts, for the purity of our intentions, and under the conviction that whatsoever imperfections may exist in the constitution, ought rather to be examined in the mode prescribed therein, than to bring the union into danger, by a delay, with a hope of obtaining amendments previous to the ratification, we, the said delegates, in the name and in behalf of the people of Virginia, do,

by these presents, assent to and ratify the constitution recommended on the 17th day of September, 1787, by the federal convention, for the government of the United States, hereby announcing to all those whom it may concern, that the said constitution is binding upon the said people, according to an authentic copy hereto annexed, in the words following: [See constitution.]

Done in convention, this 26th day of June, 1788.

By order of the convention,

EDM. PENDLETON, *President.* (L. S.)

VIRGINIA, *to wit:*

SUBSEQUENT AMENDMENTS agreed to in convention, as necessary to the proposed constitution of government for the United States, recommended to the consideration of the Congress which shall first assemble under the said constitution, to be acted upon according to the mode prescribed in the fifth article thereof, videlicet:

That there be a declaration or bill of rights, asserting and securing from encroachment, the essential and unalienable rights of the people, in some such manner as the following:

*First.* That there are certain natural rights, of which men, when they form a social compact, cannot deprive or divest their posterity, among which are the enjoyment of life and liberty, with the means of acquiring, possessing, and protecting property, and pursuing and obtaining happiness and safety. *Second.* That all power is naturally vested in, and consequently derived from the people; that magistrates, therefore, are their trustees and agents, and at all times amenable to them. *Third.* That government ought to be instituted for the common benefit, protection and security of the people; and that the doctrine of non-resistance against arbitrary power and oppression, is absurd, slavish, and destructive of the good and happiness of mankind. *Fourth.* That no man or set of men are entitled to exclusive or separate public emoluments or privileges from the community, but in consideration of public services, which not being descendible, neither ought the offices of magistrate, legislator, or judge, or any other public office to be hereditary. *Fifth.* That the legislative, executive and judiciary powers of government should be separate and distinct, and that the members of the two first may be restrained from oppression by feeling and participating the public burthens, they should, at fixed periods, be reduced to a private station, return into the mass of the people, and the vacancies be supplied by certain and regular elections; in which all or any part of the former members to be eligible, or ineligible, as the rules of the constitution of government, and the laws shall direct. *Sixth.* That elections of representatives in the legislature ought to be free and frequent, and all men having sufficient evidence of permanent common interest, with an attachment to the community, ought to have the right of suffrage: and no aid, charge, tax or fee can be set, rated or levied upon the people without their own consent, or that of their representatives so elected, nor can they be bound by any law to which they have not in like manner assented for the public good. *Seventh.* That all power of suspending laws, or the execution of laws,

by any authority, without the consent of the representatives of the people in the legislature, is injurious to their rights, and ought not to be exercised. *Eighth.* That in all capital and criminal prosecutions, a man hath a right to demand the cause and nature of his accusation, to be confronted with the accusers and witnesses, to call for evidence, and be allowed counsel in his favor, and to a fair and speedy trial by an impartial jury of his vicinage, without whose unanimous consent he cannot be found guilty, (except in the government of the land and naval forces :) nor can he be compelled to give evidence against himself. *Ninth.* That no freeman ought to be taken, imprisoned, or disseized of his freehold, liberties, privileges, or franchises, or outlawed, or exiled, or in any manner destroyed or deprived of his life, liberty or property, but by the law of the land. *Tenth.* That every freeman restrained of his liberty, is entitled to a remedy, to enquire into the lawfulness thereof, and to remove the same, if unlawful, and that such remedy ought not to be denied nor delayed. *Eleventh.* That in controversies respecting property, and in suits between man and man, the ancient trial by jury is one of the greatest securities to the rights of the people, and ought to remain sacred and inviolable. *Twelfth.* That every freeman ought to find a certain remedy by recourse to the laws for all injuries and wrongs he may receive in his person, property or character. He ought to obtain right and justice freely without sale, completely and without denial, promptly and without delay, and that all establishments or regulations contravening these rights, are oppressive and unjust. *Thirteenth.* That excessive bail ought not to be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted. *Fourteenth.* That every freeman has a right to be secure from all unreasonable searches and seizures of his person, his papers and his property; "all warrants, therefore, to search suspected places, or seize any freeman, his papers or property," without information upon oath (or affirmation of a person religiously scrupulous of taking an oath) of legal and sufficient cause, are grievous and oppressive; and all general warrants to search suspected places, or to apprehend any suspected person, without specially naming or describing the place or person, are dangerous and ought not to be granted. *Fifteenth.* That the people have a right peaceably to assemble together to consult for the common good, or to instruct their representatives; and that every freeman has a right to petition or apply to the legislature for redress of grievances. *Sixteenth.* That the people have a right to freedom of speech, and of writing and publishing their sentiments; that the freedom of the press is one of the greatest bulwarks of liberty, and ought not to be violated. *Seventeenth.* That the people have a right to keep and bear arms; that a well regulated militia, composed of the body of the people, trained to arms, is the proper, natural and safe defence of a free state. That standing armies in time of peace are dangerous to liberty, and therefore ought to be avoided, as far as the circumstances and protection of the community will admit; and that in all cases the military should be under strict subordination to, and governed by the civil power. *Eighteenth.* That no soldier in time of peace ought to be quartered in any house without the consent of the owner, and in time of war in such manner only as the laws direct,

*Nineteenth.* That any person religiously scrupulous of bearing arms, ought to be exempted, upon payment of an equivalent to employ another to bear arms in his stead. *Twentieth.* That religion, or the duty which we owe to our Creator, and the manner of discharging it, can be directed only by reason and conviction, not by force or violence, and therefore all men have an equal, natural, and unalienable right to the free exercise of religion, according to the dictates of conscience, and that no particular religious sect or society ought to be favored or established by law in preference to others.

AMENDMENTS TO THE BODY OF THE CONSTITUTION.

*First.* That each state in the union shall respectively retain every power, jurisdiction and right, which is not by this constitution delegated to the Congress of the United States, or to the departments of the federal government. *Second.* That there shall be one representative for every 30,000, according to the enumeration or census mentioned in the constitution, until the whole number of representatives amounts to 200; after which that number shall be continued or increased as the Congress shall direct, upon the principles fixed by the constitution, by apportioning the representatives of each state to some greater number of people, from time to time, as population increases. *Third.* When Congress shall lay direct taxes or excises, they shall, immediately, inform the executive power of each state, of the quota of such state, according to the census herein directed, which is proposed to be thereby raised; and if the legislature of any state shall pass a law which shall be effectual for raising such quota at the time required by Congress, the taxes and excises laid by Congress shall not be collected in such state. *Fourth.* That the members of the Senate and House of Representatives shall be ineligible to, and incapable of holding any civil office under the authority of the United States, during the time for which they shall respectively be elected. *Fifth.* That the journals of the proceedings of the Senate and House of Representatives shall be published at least once in every year, except such parts thereof, relating to treaties, alliances, or military operations, as, in their judgment, require secrecy. *Sixth.* That a regular statement and account of the receipts and expenditures of all public money shall be published at least once in every year. *Seventh.* That no commercial treaty shall be ratified without the concurrence of two-thirds of the whole number of the members of the Senate; and no treaty, ceding, contracting, restraining or suspending the territorial rights or claims of the United States, or any of them, or their, or any of their rights or claims to fishing in the American seas, or navigating the American rivers, shall be but in cases of the most urgent and extreme necessity, nor shall any such treaty be ratified without the concurrence of three-fourths of the whole number of the members of both houses respectively. *Eighth.* That no navigation law, or law regulating commerce, shall be passed without the consent of two-thirds of the members present, in both houses. *Ninth.* That no standing army or regular troops shall be raised or kept up in time of peace, without the consent of two-thirds of the members present, in both houses. *Tenth.* That no soldier shall be enlisted for any longer term than four years, except in time

of war, and then for no longer term than the continuance of the war. *Eleventh.* That each state, respectively, shall have the power to provide for organizing, arming and disciplining its own militia, whensoever Congress shall omit or neglect to provide for the same. That the militia shall not be subject to martial law, except when in actual service, in time of war, invasion, or rebellion; and, when not in the actual service of the United States, shall be subject only to such fines, penalties and punishments as shall be directed or inflicted by the laws of its own state. *Twelfth.* That the exclusive power of legislation given to Congress over the federal town, and its adjacent district, and other places, purchased or to be purchased by Congress, of any of the states, shall extend only to such regulations as respect the police and good government thereof. *Thirteenth.* That no person shall be capable of being president of the United States for more than eight years in any term of sixteen years. *Fourteenth.* That the judicial power of the United States shall be vested in one supreme court, and in such courts of admiralty as Congress may, from time to time, ordain and establish in any of the different states: The judicial power shall extend to all cases in law and equity, arising under treaties made, or which shall be made under the authority of the United States; to all cases affecting admiralty and maritime jurisdiction; to controversies to which the United States shall be a party; to all cases affecting ambassadors, other foreign ministers and consuls; to all cases of admiralty and maritime jurisdiction; to controversies between two or more states; and between parties claiming lands under the grants of different states. In all cases affecting ambassadors, other foreign ministers and consuls, and those in which a state shall be a party, the supreme court shall have original jurisdiction; in all other cases before-mentioned, the supreme court shall have appellate jurisdiction as to matters of law only; except in cases of equity, and of admiralty and maritime jurisdiction, in which the supreme court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations as the Congress shall make. But the judicial power of the United States shall extend to no case where the cause of action shall have originated before the ratification of this constitution; except in disputes between states about their territory, disputes between persons claiming lands under the grants of different states, and suits for debts due to the United States. *Fifteenth.* That in criminal prosecutions no man shall be restrained in the exercise of the usual and accustomed right of challenging or excepting to the jury. *Sixteenth.* That Congress shall not alter, modify, or interfere in the times, places, or manner of holding elections for senators and representatives, or either of them, except when the legislature of any state shall neglect, refuse, or be disabled by invasion or rebellion, to prescribe the same. *Seventeenth.* That those clauses which declare that Congress shall not exercise certain powers be not interrupted in any manner whatsoever to extend the powers of Congress. But that they may be construed either as making exceptions to the specified powers where this shall be the case, or otherwise as inserted merely for greater caution. *Eighteenth.* That the laws ascertaining the compensation to senators and representatives for their services, be postponed in their operation, until after the election of representatives immediately succeeding the pas-

ling thereof; that excepted, which shall first be passed on the subject. *Nineteenth.* That some tribunal other than the Senate be provided for trying impeachments of senators. *Twentieth.* That the salary of a judge shall not be increased or diminished during his continuance in office, otherwise than by general regulations of salary which may take place on a revision of the subject at stated periods of not less than seven years, to commence from the time such salaries shall be first ascertained by Congress. And the convention do, in the name and behalf of the people of this commonwealth, enjoin it upon their representatives in Congress, to exert all their influence, and use all reasonable and legal methods to obtain a ratification of the foregoing alterations and provisions, in the manner provided by the fifth article of the said constitution; and in all Congressional laws to be passed in the mean time, to conform to the spirit of those amendments as far as the said constitution will admit.

Done in convention, this 27th day of June, in the year of our Lord 1788.

By order of the convention,

EDM. PENDLETON, *President.* (L. S.)

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#### STATE OF NEW-YORK.

WE, the delegates of the people of the state of New-York, duly elected and met in convention, having maturely considered the constitution for the United States of America, agreed to on the 17th day of September, in the year 1787, by the convention then assembled at Philadelphia, in the commonwealth of Pennsylvania, (a copy whereof precedes these presents) and having also seriously and deliberately considered the present situation of the United States, do declare and make known,

That all power is originally vested in and consequently derived from the people, and that government is instituted by them for their common interest, protection and security.

That the enjoyment of life, liberty, and the pursuit of happiness, are essential rights which every government ought to respect and preserve.

That the powers of government may be re-assumed by the people, whenever it shall become necessary to their happiness; that every power, jurisdiction and right, which is not by the said constitution clearly delegated to the Congress of the United States, or the departments of the government thereof, remains to the people of the several states, or to their respective state governments, to whom they may have granted the same; and that those clauses in the said constitution, which declare, that Congress shall not have or exercise certain powers, do not imply that Congress is entitled to any powers not given by the said constitution; but such clauses are to be construed either as exceptions to certain specified powers, or as inserted merely for greater caution.

That the people have an equal, natural, and unalienable right, freely and peaceably to exercise their religion, according to the dictates of conscience; and that no religious sect or society ought to be favored or established by law in preference of others.

That the people have a right to keep and bear arms; that a well



regulated militia, including the body of the people capable of bearing arms, is the proper, natural, and safe defence of a free state.

That the militia should not be subject to martial law, except in time of war, rebellion, or insurrection.

That standing armies in time of peace are dangerous to liberty, and ought not to be kept up, except in cases of necessity, and that at all times the military should be under strict subordination to the civil power.

That in time of peace no soldier ought to be quartered in any house without the consent of the owner; and in time of war, only by the civil magistrate, in such manner as the laws may direct.

That no person ought to be taken, imprisoned or disseized of his freehold, or be exiled or deprived of his privileges, franchises, life, liberty or property, but by due process of law.

That no person ought to be put twice in jeopardy of life or limb for one and the same offence, nor, unless in case of impeachment, be punished more than once for the same offence.

That every person restrained of his liberty is entitled to an enquiry into the lawfulness of such restraint, and to a removal thereof if unlawful, and that such enquiry and removal ought not to be denied or delayed except when, on account of public danger, the Congress shall suspend the privilege of the writ of *habeas corpus*.

That excessive bail ought not to be required; nor excessive fines imposed; nor cruel or unusual punishments inflicted.

That (except in the government of the land and naval forces, and of the militia when in actual service, and in cases of impeachment) a presentment or indictment by a grand jury ought to be observed as a necessary preliminary to the trial of all crimes cognizable by the judiciary of the United States; and such trial should be speedy, public, and by an impartial jury of the county where the crime was committed; and that no person can be found guilty without the unanimous consent of such jury. But in cases of crimes not committed within any county of any of the United States, and in cases of crimes committed within any county in which a general insurrection may prevail, or which may be in the possession of a foreign enemy, the enquiry and trial may be in such county as the Congress shall by law direct; which county in the two cases last mentioned, should be as near as conveniently may be to that county in which the crime may have been committed. And that in all criminal prosecutions, the accused ought to be informed of the cause and nature of his accusation, to be confronted with his accusers and the witnesses against him, to have the means of producing his witnesses, and the assistance of counsel for his defence, and should not be compelled to give evidence against himself.

That the trial by jury in the extent that it obtains by the common law of England, is one of the greatest securities to the rights of a free people, and ought to remain inviolate.

That every freeman has a right to be secure from all unreasonable searches and seizures of his person, his papers or his property; and therefore, that all warrants to search suspected places, or seize any freeman, his papers or property, without information upon oath or affirmation of sufficient cause, are grievous and oppressive; and that all general warrants, (or such in which the place or person suspected are not particularly designated) are dangerous and ought not to be granted.

That the people have a right peaceably to assemble together to consult for their common good, or to instruct their representatives, and that every person has a right to petition or apply to the legislature for redress of grievances.

That the freedom of the press ought not to be violated or restrained.

That there should be once in four years, an election of the president and vice-president, so that no officer who may be appointed by the Congress to act as a president, in case of the removal, death, resignation or inability of the president and vice-president, can in any case continue to act beyond determination of the period for which the last president and vice-president were elected.

That nothing contained in the said constitution, is to be construed to prevent the legislature of any state from passing laws at its discretion, from time to time, to divide such state into convenient districts, and to apportion its representatives to, and amongst such districts.

That the prohibition contained in the said constitution, against *ex post facto* laws, extends only to laws concerning crimes.

That all appeals in causes, determinable according to the course of the common law, ought to be by writ of error, and not otherwise.

That the judicial power of the United States, in cases in which a state may be a party, does not extend to criminal prosecutions or to authorize any suit, by any person against a state.

That the judicial power of the United States, as to controversies between citizens of the same state, claiming lands under grants of different states, is not to be construed to extend to any other controversies between them, except those which relate to such lands, so claimed, under grants of different states.

That the jurisdiction of the supreme court of the United States, or of any other court to be instituted by the Congress, is not in any case to be increased, enlarged, or extended, by any fiction, collusion or mere suggestion; and that no treaty is to be construed, so to operate, as to alter the constitution of any state.

Under these impressions, and declaring that the rights aforesaid cannot be abridged or violated, and that the explanations aforesaid are consistent with the said constitution, and in confidence that the amendments which shall have been proposed to the said constitution, will receive an early and mature consideration: We, the said delegates, in the name and in the behalf of the people of the state of New-York, do, by these presents, assent to and ratify the said constitution. In full confidence, nevertheless, that until a convention shall be called and convened for proposing amendments to the said constitution, the militia of this state will not be continued in service out of this state for a longer term than six weeks, without the consent of the legislature thereof; that the Congress will not make or alter any regulation in this state, respecting the times, places, and manner of holding elections for senators or representatives, unless the legislature of this state shall neglect or refuse to make laws or regulations for the purpose, or from any circumstance be incapable of making the same; and that in those cases such power will only be exercised until the legislature of this state shall make provision in the premises; that no excise shall be imposed on any article of the growth, production or manufacture of the United States, or

any of them, within this state, ardent spirits excepted; and that the Congress will not lay direct taxes within this state, but when the monies arising from the impost and excise shall be insufficient for the public exigencies, nor then, until Congress shall first have made a requisition upon this state, to assess, levy and pay the amount of such requisition, made agreeably to the census fixed in the said constitution, in such way and manner as the legislature of this state shall judge best; but that in such case, if the state shall neglect or refuse to pay its proportion, pursuant to such requisition, then the Congress may assess and levy this state's proportion, together with interest at the rate of six per centum per annum, from the time at which the same was required to be paid.

Done in convention, at Poughkeepsie, in the county of Dutchess, in the state of New-York, the 26th day of July, in the year of our Lord 1788.

By order of the convention,

GEO. CLINTON, *President.*

Attested. JOHN M'KESSON, }  
AB. B. BANKER, } *Secretaries.*

AND the convention do, in the name and behalf of the people of the state of New-York, enjoin it upon their representatives in the Congress, to exert all their influence, and use all reasonable means to obtain a ratification of the following amendments to the said constitution, in the manner prescribed therein; and in all laws to be passed by the Congress, in the mean time, to conform to the spirit of the said amendments, as far as the constitution will admit.

That there shall be one representative for every 30,000 inhabitants, according to the enumeration or census mentioned in the constitution, until the whole number of representatives amounts to 200; after which that number shall be continued or increased, but not diminished, as Congress shall direct, and according to such ratio as the Congress shall fix, in conformity to the rule prescribed for the apportionment of representatives and direct taxes.

That the Congress do not impose any excise on any article (ardent spirits excepted) of the growth, production or manufacture of the United States, or any of them.

That Congress do not lay direct taxes, but when the monies arising from the impost and excise, shall be insufficient for the public exigencies, nor then, until Congress shall first have made a requisition upon the states, to assess, levy and pay their respective proportions of such requisition, agreeably to the census fixed in the said constitution, in such way and manner, as the legislature of the respective states shall judge best; and in such case, if any state shall neglect or refuse to pay its proportion, pursuant to such requisition, then Congress may assess and levy such state's proportion, together with interest at the rate of six per centum per annum, from the time of payment, prescribed in such requisition.

That the Congress shall not make or alter any regulation, in any state, respecting the times, places and manner of holding elections for senators or representatives, unless the legislature of such state shall neglect or refuse to make laws or regulations for the purpose, or from any circumstance be incapable of making the same, and then only,

until the legislature of such state shall make provision in the premises; provided that Congress may prescribe the time for the election of representatives.

That no persons, except natural born citizens, or such as were citizens on or before the 4th day of July, 1776, or such as held commissions under the United States during the war, and have at any time, since the 4th day of July, 1776, become citizens of one or other of the United States, and who shall be freeholders, shall be eligible to the places of president, vice-president, or members of either house of the Congress of the United States.

That the Congress do not grant monopolies, or erect any company, with exclusive advantages of commerce.

That no standing army or regular troops shall be raised, or kept up in time of peace, without the consent of two-thirds of the senators and representatives present in each house.

That no money be borrowed on the credit of the United States, without the assent of two-thirds of the senators and representatives present in each house.

That the Congress shall not declare war, without the concurrence of two-thirds of the senators and representatives present in each house.

That the privilege of the *habeas corpus* shall not by any law be suspended for a longer term than six months, or until 20 days after the meeting of the Congress next following the passing the act for such suspension.

That the right of the Congress to exercise exclusive legislation over such district, not exceeding 10 miles square, as may by cession of a particular state, and the acceptance of Congress, become the seat of the government of the United States, shall not be so exercised as to exempt the inhabitants of such district from paying the like taxes, imposts, duties and excises, as shall be imposed on the other inhabitants of the state in which such district may be; and that no person shall be privileged within the said district from arrest for crimes committed, or debts contracted out of the said district.

That the right of exclusive legislation with respect to such places as may be purchased for the erection of forts, magazines, arsenals, dock-yards, and other needful buildings, shall not authorize the Congress to make any law to prevent the laws of the states respectively in which they may be, from extending to such places in all civil and criminal matters, except as to such persons as shall be in the service of the United States; nor to them with respect to crimes committed without such places.

That the compensation for the senators and representatives be ascertained by standing laws; and that no alteration of the existing rate of compensation shall operate for the benefit of the representatives, until after a subsequent election shall have been had.

That the journals of the Congress shall be published at least once a year, with the exception of such parts relating to treaties or military operations, as in the judgment of either house shall require secrecy; and that both houses of Congress shall always keep their doors open during their sessions, unless the business may in their opinion require secrecy. That the yeas and nays shall be entered on the journals whenever two members in either house may require it.

That no capitation tax shall ever be laid by the Congress.

That no person be eligible as a senator for more than six years in any term of twelve years; and that the legislatures of the respective states may recal their senators or either of them, and elect others in their stead, to serve the remainder of the time for which the senators so recalled were appointed.

That no senator or representative shall, during the time for which he was elected, be appointed to any office under the authority of the United States.

That the authority given to the executives of the states to fill the vacancies of senators be abolished, and that such vacancies be filled by the respective legislatures.

That the power of Congress to pass uniform laws concerning bankruptcy, shall only extend to merchants and other traders; and that the states respectively may pass laws for the relief of other insolvent debtors.

That no person shall be eligible to the office of president of the United States, a third time.

That the executive shall not grant pardons for treason, unless with the consent of the Congress; but may, at his discretion, grant reprieves to persons convicted of treason, until their cases can be laid before the Congress.

That the president, or person exercising his powers for the time being, shall not command an army in the field in person, without the previous desire of the Congress.

That all letters patent, commissions, pardons, writs and process of the United States, shall run in the name of the people of the United States, and be tested in the name of the president of the United States, or the person exercising his powers for the time being, or the first judge of the court out of which the same shall issue, as the case may be.

That the Congress shall not constitute, ordain, or establish any tribunals or inferior courts, with any other than appellate jurisdiction, except such as may be necessary for the trial of causes of admiralty, and maritime jurisdiction, and for the trial of piracies and felonies committed on the high-seas; and in all other cases, to which the judicial power of the United States extends, and in which the supreme court of the United States has not original jurisdiction, the causes shall be heard, tried, and determined, in some one of the state courts, with the right of appeal to the supreme court of the United States, or other proper tribunal, to be established for that purpose, by the Congress, with such exceptions, and under such regulations as the Congress shall make.

That the court for the trial of impeachments shall consist of the Senate, the judges of the supreme court of the United States, and the first or senior judge, for the time being, of the highest court of general and ordinary common law jurisdiction in each state; that the Congress shall, by standing laws, designate the courts in the respective states answering this description, and in states having no courts exactly answering this description, shall designate some other court, preferring such, if any there be, whose judge or judges may hold their places during good behavior: provided that no more than one judge, other than

judges of the supreme court of the United States, shall come from one state.

That the Congress be authorized to pass laws for compensating the judges for such services, and for compelling their attendance; and that a majority at least of the said judges shall be requisite to constitute the said court. That no person impeached shall sit as a member thereof; that each member shall, previous to the entering upon any trial, take an oath or affirmation, honestly and impartially to hear and determine the cause; and that a majority of the members present shall be necessary to a conviction.

That persons aggrieved by any judgment, sentence or decree of the supreme court of the United States in any cause in which that court has original jurisdiction, with such exceptions and under such regulations as the Congress shall make concerning the same, shall upon application, have a commission, to be issued by the president of the United States, to such men learned in the law as he shall nominate, and by and with the advice and consent of the Senate appoint not less than seven, authorizing such commissioners, or any seven or more of them, to correct the errors in such judgment, or to review such sentence, and decree as the case may be, and to do justice to the parties in the premises.

That no judge of the supreme court of the United States shall hold any other office under the United States, or any of them.

That the judicial power of the United States shall extend to no controversies respecting land, unless it relate to claims of territory or jurisdiction between states, or to claims of land between individuals, or between states and individuals under the grants of different states.

That the militia of any state shall not be compelled to serve without the limits of the state for a longer term than six weeks, without the consent of the legislature thereof.

That the words *without the consent of the Congress*, in the seventh clause of the ninth section of the first article of the constitution be expunged.

That the senators and representatives, and all executive and judicial officers of the United States, shall be bound by oath or affirmation not to infringe or violate the constitutions or rights of the respective states.

That the legislatures of the respective states may make provision by law, that the electors of the election districts, to be by them appointed, shall choose a citizen of the United States, who shall have been an inhabitant of such district for the term of one year immediately preceding the time of his election, for one of the representatives of such state.

Done in convention, at Poughkeepsie, in the county of Dutchess, in the state of New-York, the 26th day of July, in the year of our Lord 1788.

Done by order of the convention,

GEO. CLINTON, *President.*

Attested. JOHN M'KESSON, }  
AB. B. BANKER, } *Secretaries.*

STATE OF NORTH-CAROLINA.

*In Convention, August 1, 1788.*

RESOLVED, That a declaration of rights, asserting and securing

from encroachment the great principles of civil and religious liberty, and the unalienable rights of the people, together with amendments to the most ambiguous and exceptionable parts of the said constitution of government, ought to be laid before Congress, and the convention of the states that shall or may be called for the purpose of amending the said constitution, for their consideration, previous to the ratification of the constitution aforesaid, on the part of the state of North-Carolina.

## DECLARATION OF RIGHTS.

1st. THAT there are certain natural rights of which men, when they form a social compact, cannot deprive or divest their posterity, among which are the enjoyment of life and liberty, with the means of acquiring, possessing, and protecting property, and pursuing and obtaining happiness and safety.

2d. That all power is naturally vested in, and consequently derived from the people; that magistrates therefore are their trustees and agents, and at all times amenable to them.

3d. That government ought to be instituted for the common benefit, protection, and security of the people; and that the doctrine of non-resistance against arbitrary power and oppression is absurd, slavish, and destructive to the good and happiness of mankind.

4th. That no man or set of men, are entitled to exclusive or separate public emoluments, or privileges from the community, but in consideration of public services; which not being descendible, neither ought the offices of magistrate, legislator, or judge, or any other public office, to be hereditary.

5th. That the legislative, executive and judiciary powers of government should be separate and distinct, and that the members of the two first may be restrained from oppression, by feeling and participating the public burthens, they should, at fixed periods, be reduced to a private station, return into the mass of the people; and the vacancies be supplied by certain and regular elections; in which all or any part of the former members to be eligible or ineligible, as the rules of the constitution of government, and the laws shall direct.

6th. That elections of representatives in the legislature ought to be free and frequent, and all men having sufficient evidence of permanent common interest with, and attachment to the community, ought to have the right of suffrage; and no aid, charge, tax or fee, can be set, rated or levied upon the people without their own consent, or that of their representatives, so elected, nor can they be bound by any law, to which they have not in like manner assented for the public good.

7th. That all power of suspending laws, or the execution of laws, by any authority without the consent of the representatives of the people in the legislature, is injurious to their rights, and ought not to be exercised.

8th. That in all capital and criminal prosecutions, a man hath a right to demand the cause and nature of his accusation, to be confronted with the accusers and witnesses, to call for evidence, and be allowed counsel in his favor, and to a fair and speedy trial by an impartial jury of his vicinage, without whose unanimous consent he

cannot be found guilty, (except in the government of the land and naval forces) nor can he be compelled to give evidence against himself.

9th. That no freeman ought to be taken, imprisoned, or disseized of his freehold, liberties, privileges or franchises, or outlawed or exiled, or in any maner destroyed or deprived of his life, liberty or property, but by the law of the land.

10th. That every freeman restrained of his liberty, is entitled to a remedy to enquire into the lawfulness thereof, and to remove the same, if unlawful, and that such remedy ought not to be denied nor delayed.

11th. That in controversies respecting property, and in suits between man and man, the ancient trial by jury is one of the greatest securities of the rights of the people, and ought to remain sacred and inviolable.

12th. That every freeman ought to find a certain remedy by recourse to the laws for all injuries and wrongs he may receive in person, property or character. He ought to obtain right and justice freely and without sale, completely and without denial, promptly and without delay, and that all establishments, or regulations contravening these rights, are oppressive and unjust.

13th. That excessive bail ought not to be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

14th. That every freeman has a right to be secure from all unreasonable searches and seizures of his person, his papers, and property; all warrants therefore to search suspected places, or seize any freeman, his papers or property, without information upon oath (or affirmation of a person religiously scrupulous of taking an oath) of legal and sufficient cause, are grievous and oppressive, and all general warrants to search suspected places, or to apprehend any suspected person without specially naming or describing the place or person, are dangerous and ought not to be granted.

15th. That the people have a right peaceably to assemble together to consult for the common good, or to instruct their representatives; and that every freeman has a right to petition or apply to the legislature for redress of grievances.

16th. That the people have a right to freedom of speech, and of writing and publishing their sentiments; that the freedom of the press is one of the greatest bulwarks of liberty, and ought not to be violated.

17th. That the people have a right to keep and bear arms; that a well regulated militia, composed of the body of the people, trained to arms is the proper, natural, and safe defence of a free state. That standing armies in time of peace are dangerous to liberty, and therefore ought to be avoided, as far as the circumstances and protection of the community will admit; and that in all cases the military should be under strict subordination to, and governed by the civil power.

18th. That no soldier in time of peace ought to be quartered in any house without the consent of the owner, and in time of war in such manner as the law directs.

19th. That any person religiously scrupulous of bearing arms ought to be exempted upon payment of an equivalent to employ another to bear arms in his stead.



20th. That religion, or the duty which we owe to our Creator, and the manner of discharging it, can be directed only by reason and conviction, not by force or violence, and therefore all men have an equal, natural and unalienable right, to the free exercise of religion, according to the dictates of conscience, and that no particular religious sect or society ought to be favored or established by law in preference to others.

AMENDMENTS TO THE CONSTITUTION.

I. THAT each state in the union shall, respectively, retain every power, jurisdiction and right, which is not by this constitution delegated to the Congress of the United States, or to the departments of the federal government.

II. That there shall be one representative for every 30,000, according to the enumeration or census, mentioned in the constitution, until the whole number of representatives amounts to 200, after which, that number shall be continued or increased, as Congress shall direct, upon the principles fixed in the constitution, by apportioning the representatives of each state to some greater number of people, from time to time, as population increases.

III. When Congress shall lay direct taxes or excises, they shall immediately inform the executive power of each state, of the quota of such state, according to the census herein directed, which is proposed to be thereby raised: And if the legislature of any state shall pass a law, which shall be effectual for raising such quota at the time required by Congress, the taxes and excises laid by Congress shall not be collected in such state.

IV. That the members of the Senate and House of Representatives shall be ineligible to, and incapable of holding any civil office under the authority of the United States, during the time for which they shall respectively be elected.

V. That the journals of the proceedings of the Senate and House of Representatives shall be published at least once in every year, except such parts thereof relating to treaties, alliances, or military operations, as in their judgment, require secrecy.

VI. That a regular statement and account of the receipts and expenditures of the public money shall be published at least once in every year.

VII. That no commercial treaty shall be ratified without the concurrence of two-thirds of the whole number of the members of the Senate: And no treaty, ceding, contracting, or restraining or suspending the territorial rights or claims of the United States, or any of them, or their, or any of their rights or claims to fishing in the American seas, or navigating the American rivers, shall be made, but in cases of the most urgent and extreme necessity; nor shall any such treaty be ratified without the concurrence of three-fourths of the whole number of the members of both houses, respectively.

VIII. That no navigation law, or law regulating commerce, shall be passed without the consent of two-thirds of the members present in both houses.

IX. That no standing army or regular troops shall be raised or kept

up in time of peace, without the consent of two-thirds of the members present in both houses.

X. That no soldier shall be enlisted for any longer term than four years, except in time of war, and then for no longer term than the continuance of the war.

XI. That each state, respectively, shall have the power to provide for organizing, arming and disciplining its own militia, whensoever Congress shall omit or neglect to provide for the same. That the militia shall not be subject to martial law, except when in actual service in time of war, invasion or rebellion: And when not in the actual service of the United States, shall be subject only to such fines, penalties and punishments, as shall be directed or inflicted by the laws of its own state.

XII. That Congress shall not declare any state to be in rebellion without the consent of at least two-thirds of all the members present of both houses.

XIII. That the exclusive power of legislation given to Congress over the federal town and its adjacent district, and other places, purchased or to be purchased by Congress, of any of the states, shall extend only to such regulations as respect the police and good government thereof.

XIV. That no person shall be capable of being president of the United States for more than 8 years in any term of 16 years.

XV. That the judicial power of the United States shall be vested in one supreme court, and in such courts of admiralty, as Congress may, from time to time, ordain and establish in any of the different states. The judicial power shall extend to all cases in law and equity, arising under treaties made, or which shall be made under the authority of the United States; to all cases affecting ambassadors, other foreign ministers and consuls; to all cases of admiralty and maritime jurisdiction; to controversies to which the United States shall be a party; to controversies between two or more states, and between parties claiming lands under the grants of different states. In all cases affecting ambassadors, other foreign ministers and consuls, and those in which a state shall be a party; the supreme court shall have original jurisdiction in all other cases before-mentioned; the supreme court shall have appellate jurisdiction as to matters of law only, except in cases of equity, and of admiralty and maritime jurisdiction, in which the supreme court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations as the Congress shall make. But the judicial power of the United States shall extend to no case where the cause of action shall have originated before the ratification of this constitution, except in disputes between states about their territory; disputes between persons claiming lands under the grants of different states, and suits for debts due to the United States.

XVI. That in criminal prosecutions, no man shall be restrained in the exercise of the usual and accustomed right of challenging or excepting to the jury.

XVII. That Congress shall not alter, modify, or interfere in the times, places, or manner of holding elections for senators and representatives, or either of them, except when the legislature of any state

shall neglect, refuse or be disabled, by invasion or rebellion, to prescribe the same.

XVIII. That those clauses which declare that Congress shall not exercise certain powers, be not interpreted in any manner whatsoever to extend the powers of Congress; but that they be construed either as making exceptions to the specified powers where this shall be the case, or otherwise, as inserted merely for greater caution.

XIX. That the laws ascertaining the compensation of senators and representatives for their services, be postponed in their operation, until after the election of representatives immediately succeeding the passing thereof, that excepted, which shall first be passed on the subject.

XX. That some tribunal, other than the Senate, be provided for trying impeachments of senators.

XXI. That the salary of a judge shall not be increased or diminished during his continuance in office, otherwise than by general regulations of salary which may take place, on a revision of the subject, at stated periods of not less than seven years, to commence from the time such salaries shall be first ascertained by Congress.

XXII. That Congress erect no company of merchants with exclusive advantages of commerce.

XXIII. That no treaties which shall be directly opposed to the existing laws of the United States in Congress assembled, shall be valid until such laws shall be repealed, or made conformable to such treaty; nor shall any treaty be valid which is contradictory to the constitution of the United States.

XXIV. That the latter part of the fifth paragraph of the ninth section of the first article be altered to read thus: "Nor shall vessels bound to a particular state be obliged to enter or pay duties in any other; nor when bound from any one of the states be obliged to clear in another."

XXV. That Congress shall not directly or indirectly, either by themselves or through the judiciary, interfere with any one of the states in the redemption of paper money already emitted and now in circulation, or in liquidating and discharging the public securities of any one of the states: But each and every state shall have the exclusive right of making such laws and regulations for the above purpose, as they shall think proper.

XXVI. That Congress shall not introduce foreign troops into the United States, without the consent of two-thirds of the members present of both houses.

SAM. JOHNSTON, *President.*

By Order,

J. HUNT, *Secretary.*

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TRANSLATION FROM THE DUTCH.

(Stamp.) DEDEL.

ON the 13th day of March, in the year 1788, appeared before me, Pieter Galenus Van Hole, notary of Amsterdam, admitted by the honorable court of Holland;

His excellency the honorable John Adams, Esq; in quality as especially empowered and authorized by the United States of America in Congress assembled, for and in behalf of said states of America, to raise a loan with any person or persons, states or companies, with subjoined assurance in good faith, to ratify and fulfil all that shall be done in this respect, by him, honorable appearer, according to authentic copy and translation of the original commission or power exhibited to me, notary, and deposited in my custody, in behalf of the joint money lenders; the honorable appearer being to return ere long for America, but being now in this city. And the honorable appearer acknowledged himself in his aforesaid quality, and thus in the name and in behalf of the above-mentioned states of America, to be duly and lawfully indebted to and in behalf of sundry persons or money lenders, in all, a sum of 1,000,000 of guilders, Dutch current money, arising from and on account of so much ready money received by him the honorable appearer, in his aforesaid quality, to his perfect satisfaction, from the said money lenders, pursuant to the receipt hereafter mentioned to be signed by the honorable appearer, under the authentic copies hereof; expressly and formally disavowing the excuse of untold monies. And the honorable appearer promised in his aforesaid quality, to re-pay and reimburse in this city, the said sum of 1,000,000 of guilders, free from all costs, charges and damages to the above-mentioned money lenders, or their assigns, at the expiration of 15 years, after the 1st day of June, 1788, and that in the following manner, to wit:

That the above-mentioned principal shall remain fixed during the space of 10 years, and that with the 11th year, and thus on the 1st day of June, 1799, a fifth part, or 200,000 guilders of the said principal of 1,000,000 shall be redeemed, and in the same manner from year to year, until the 1st day of June, 1803, inclusive; so that the whole principal shall be redeemed and discharged within the above-mentioned space of 15 years.

And that mean while for said principal, at first for the whole, and afterwards for the residue, at the expiration of every year, interest shall be paid at the rate of five per cent. in the year, commencing the first day of June, 1788, and to continue until the final accomplishment, and that on coupons, to be signed by, or on the part of said honorable appearer, in his aforesaid quality.

That the above-mentioned redeeming shall be performed by drawing, in the presence of a notary and witnesses in this city, after the expiration of the first mentioned ten years, in such a manner that the numbers of the bonds or obligations drawn, shall betimes be made known in the public papers.

That the payment of the interests, as also the redeeming of the respective periods shall be made at the compting-houses of the hereafter mentioned gentlemen directors, or at such other places within this city as shall likewise be advertised in the public papers.

That the directors of this negociation shall be Messrs. Wilhelm and Jan Willink, and Nicolaas and Jacob Van Staphorst, of this city, merchants, who are by these presents thereto named and appointed by the honorable appearer, in his aforesaid quality.

The honorable appearer promising and engaging in the names of his

constituents, that the amount of the interests and of the redeemings to be made, from time to time, of the said principal, shall be in due time remitted to the aforesaid gentlemen directors, their heirs or successors, in good bills of exchange, American products, or in ready money, without any abatement or reduction whatsoever.

That this bond or obligation shall never be subject to any imposts or taxes already laid, or in time to come to be laid, in the said United States of America, or any of them, even in case (which God forbid) any war, hostilities or divisions, should arise between aforesaid United States, or any of them on the one side, and the states of these lands on the other, and, that the payment of the principal or interests of this bond or obligation, accordingly, can, in no wise, nor under any pretext whatsoever, be hindered or delayed.

The honorable appearer, in his aforesaid quality, promising and engaging, moreover, for, and in the names of the said United States, that there shall never be made, or entered into by them, or on their parts, or any of them in particular, any convention or treaty, public or private, at the making of peace, or otherwise, by which the validity and accomplishment of these presents might be prejudiced, or, whereby any thing contrary thereto might be stipulated, but that without any exception the contents hereof shall be kept and maintained in full force.

The honorable appearer, in his aforesaid quality, likewise promises, engages and binds himself by these presents, that this engagement shall be ratified and approved as soon as possible by said United States in Congress assembled, and that authentic copy translation of said ratification, with the original, shall be deposited in custody of me the said notary, to be there kept with said authentic copy translation of the commission or power of him, honorable appearer, and the engrossed hereof for the security of the money lenders, until the above-mentioned principal and interests as aforesaid shall be redeemed and paid off.

And there shall be made of this act, (as the honorable appearer in his aforesaid quality consents) above and besides the above-mentioned engrossed, 1000 authentic copies, which shall be of the same force and value, and have the same effect as the engrossed one, under every one of which copies shall be placed a receipt of 1000 guilders, Dutch current money, either on name or in blank, at the choice of the money lenders, to be signed by him, honorable appearer, and which receipts shall be respectively numbered from No. 1, to 1000, inclusive, and countersigned by the above-mentioned gentlemen directors, and duly recorded by me the said notary, as a testimony that no more than 1000 bonds or obligations are numbered by virtue of this act: All which authentic copies with the receipts there under placed, shall, at the redeeming of the principal, be restored by the bearers.

On failure of prompt payment, as well of the principal as of the interests at the appointed periods, the principal or residue thereof may be demanded by the gentlemen directors, in behalf of the money lenders, who shall be then interested therein, and the aforesaid constituents and committents of him, honorable appearer, shall in that case be held and bound to redeem and discharge immediately in one sum, the remaining principal, with the interests and charges.

For the accomplishment and performance of all the above written, the honorable appearer binds in his aforesaid quality, and thus in the names and on the part of the above-mentioned United States of America, the said United States of America, jointly, and each of them in particular, together with all their lands, chattels, revenues and products, and also the imposts and taxes already laid and raised in the same, or in time to come to be laid and raised, and thus of all the United States of America, jointly, and each of them in particular, and for the whole.

He, the honorable appearer, renouncing in the names as above, for that purpose expressly, *Beneficium Divisionis*, as likewise *de duobis vel pluribus Reis debendi*, signifying a retribution of debts, and that when two or more are indebted, each of them can satisfy with the payment of his portion: the honorable appearer promising in his aforesaid quality, never to have recourse to the said or to any other evasions whatsoever.

This being passed (after translation into English was made hereof, and which likewise is signed by the honorable appearer, and deposited in the custody of me the said notary) within Amsterdam aforesaid, in the presence of Apolonius Van Ryck de Groot and Jacob de Wolff, witnesses.

(Signed)

JOHN ADAMS,

A. V. R. de GROOT,

J. B. de WOLFF,

P. G. VAN HOLE, Notary.

⊙⊙⊙⊙⊙  
⊙L. S.⊙  
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Faithfully translated from the Dutch, Amsterdam, the 13th day of March, 1788.

JOANNES VERGEEL LUC SON,  
Sworn Translator.

*MONDAY, November 3, 1788.*

Pursuant to the articles of the confederation, only two gentlemen attended as delegates, namely ;

Mr. Contee, for Maryland, and Mr. Williamson, for North-Carolina.

*Saturday, November 15, Mr. C. Griffin, from Virginia, attended.*

*Monday, December 3, Mr. J. Dawson, from Virginia, attended.*

*Saturday, December 6, Mr. N. Eveleigh, from South-Carolina, attended.*

*Thursday, December 11, Mr. J. Dayton, from New-Jersey, attended.*

*Monday, December 15, Mr. T. T. Tucker, from South-Carolina.*

*Wednesday, December 30, Mr. S. A. Otis, from Massachusetts.*

*THURSDAY, January 1, 1789.*

Mr. J. R. Read, from Pennsylvania.

Mr. Barnwell, from South-Carolina.

*Thursday, January 8, Mr. A. Clarke, from New-Jersey.*

*Saturday, January 10, Mr. T. Coxe, from Pennsylvania.*

*Monday, January 26, Mr. N. Gorham, from Massachusetts.*

*Thursday, January 29, Mr. G. Thatcher, from Massachusetts.*

*Friday, February 6, Mr. D. Ross, from Maryland.*

*Thursday, February 12, Mr. J. Gardner, from Rhode-Island.*

*Wednesday, February 18, Mr. D. Gelston, from New-York.*

*Thursday, February 19, Mr. N. Gilman, from New-Hampshire.*

*Monday, March 2, M. Philip Pell, from New-York.*

THE ANALOGY OF RIGHTS IN JUSTICE

The analogy of rights in justice is a concept that has been widely discussed in political philosophy. It is the idea that the same principles of justice that govern the relations between individuals should also govern the relations between the individual and the state. This concept is central to the work of John Rawls, who introduced it in his seminal work, "A Theory of Justice".

Rawls's theory of justice is based on the idea of the "original position", a hypothetical situation in which individuals agree on the principles of justice that will govern their society. In this position, individuals are behind a "veil of ignorance", which prevents them from knowing their own social position, talents, or interests.

Rawls argues that in the original position, individuals will agree on two principles of justice: the principle of equal basic liberties and the principle of fair equality of opportunity. The principle of equal basic liberties states that each person has an equal right to a fully adequate scheme of equal basic liberties, which is compatible with a similar scheme for all. The principle of fair equality of opportunity states that offices and positions of responsibility must be open to all under conditions of fair equality of opportunity.



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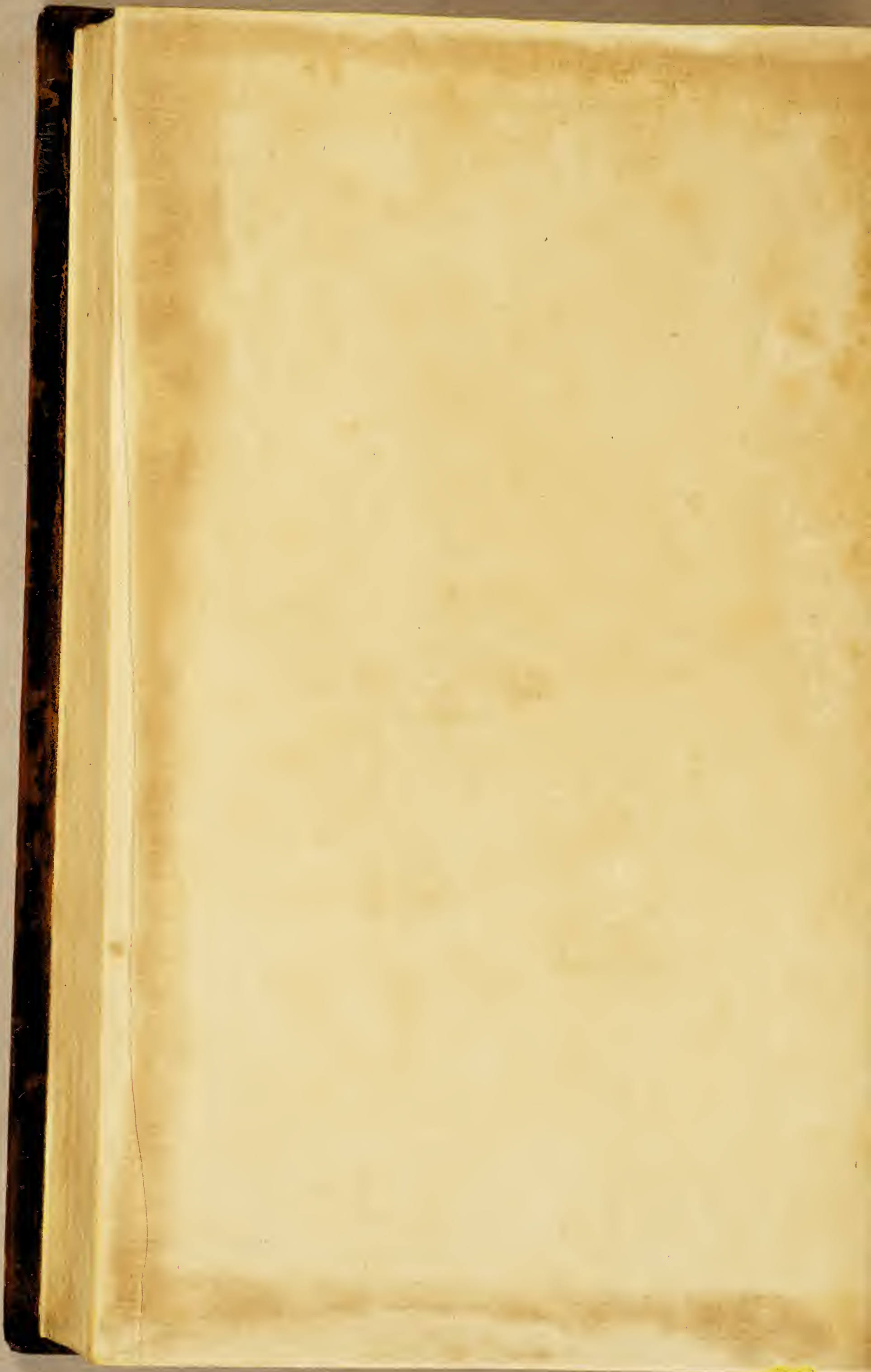
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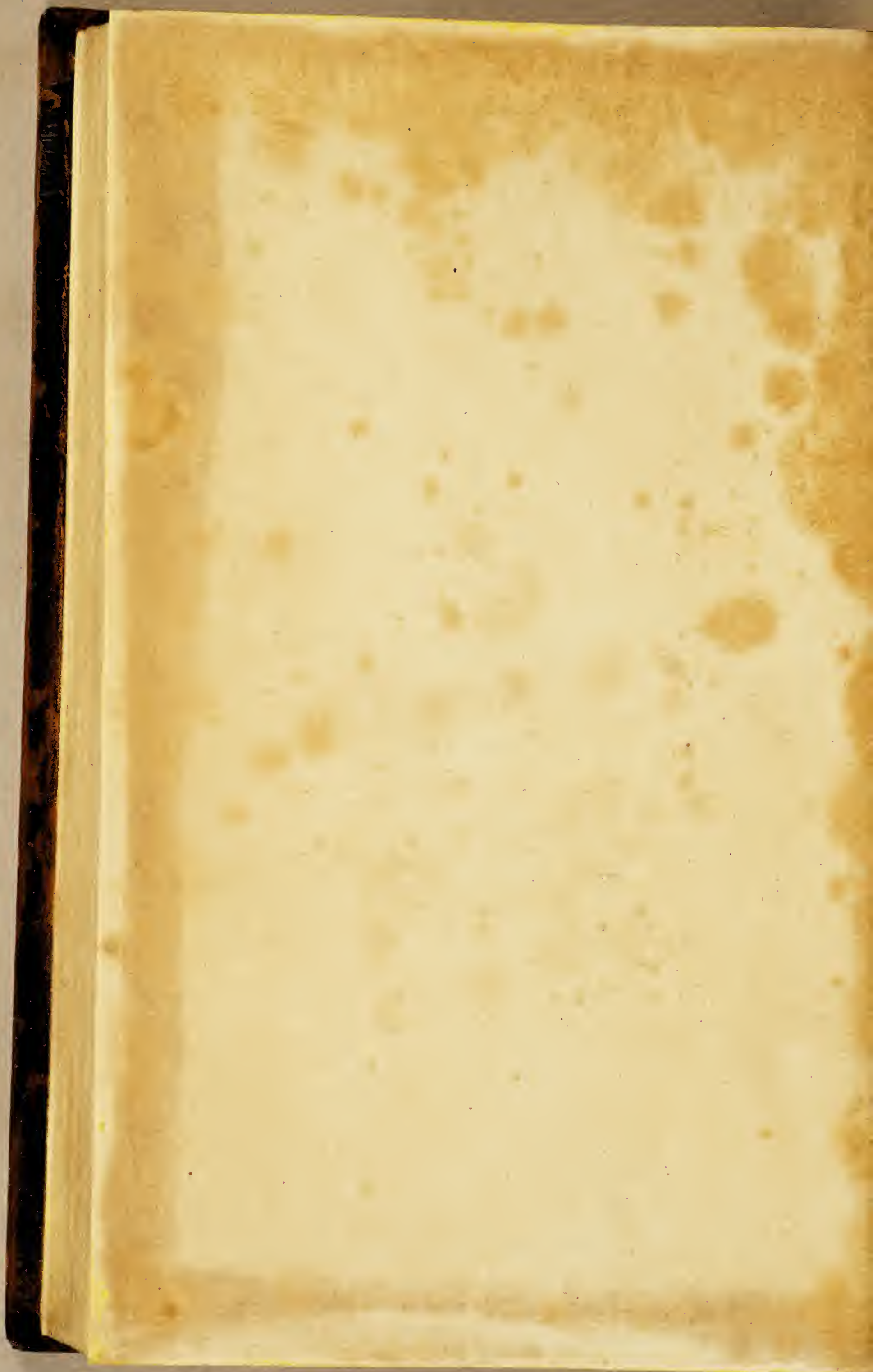
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